



## MICHAEL R. GARNER

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### OVERVIEW PRACTICE:

Mike focuses his practice on commercial real estate transactions, emphasizing development, financing, purchases and sales, property management and leasing; commercial litigation; and business advice.

### PRACTICE AREAS:

Real Estate

Business

### EDUCATION:

Boalt Hall, University of California at Berkeley, J.D. (1976)

Stanford University, A.B. in Political Science (1971)

### ADMITTED TO PRACTICE:

Washington (1979)

Hawai'i (1976)

U.S. Court of Appeals for the Ninth Circuit (2001)

U.S. District Courts for the Western (1979) and Eastern (1981) Districts of Washington

U.S. District Court of Hawai'i (1976)

### REPRESENTATIVE WORK:

#### Real Estate Experience

Represented sellers and purchasers of downtown office buildings, hotels, shopping centers, industrial parks, warehouse and storage facilities, and apartment buildings.

Closed numerous loans for real estate purchasers/borrowers, including conventional and securitized ("conduit") loans.

Represented institutional lenders making construction loans and permanent loans.

Represented owners, property managers and tenants negotiating numerous commercial leases.

Represented condominium and homeowners associations.

*Stokes Lawrence, P.S.*

Represented developers of condominium projects, including residential highrise, medical office building, planned unit developments, and multi-use facilities.

Handled numerous IRC § 1031 tax-deferred exchanges.

#### Commercial Litigation

Argued the prevailing party's case to the Washington Supreme Court in *Berg v. Hudesman*, 115 Wn.2d 657 (1990). This unanimous decision is considered the seminal case in contract interpretation in the state of Washington. The client prevailed on the remand to the trial court.

Successfully defended the late Governor Dixy Lee Ray at trial against claims of her former speech writer that he wrote her 1991 book Trashing the Planet.

Served as the arbitrator in *Boyd v. Davis*, 127 Wn.2d 256 (1995). This unanimous Supreme Court decision upheld the exercise of powers as arbitrator and reduced the grounds on which an arbitrator's decision may be challenged or set aside.

Conducted over 125 trials and arbitrations, primarily in the real estate or commercial context, including a five week jury trial.

Member (ret.) of American Arbitration Association Panel of Arbitrators. Selected in 1998 to serve on a national panel of arbitrators to handle appeals arising from class action settlement in claims against Prudential Life Insurance Company. Handled approximately 85 appeals from the settlement.

#### **PROFESSIONAL & COMMUNITY ACTIVITIES:**

Member, Real Property Section of the Washington, Hawai'i and King County Bar Associations

Certified Real Estate Instructor (Washington State Department of Licensing)

Moot Court Judge, University of Washington School of Law

Director (1991-present) and President (1994-1997 and 2005-2008), Queen Anne Helpline

Past Director (1992-1996) and past President (1994-1996), Washington Ceasefire

Special Disciplinary Counsel, Washington State Bar Association (1989-1996)

#### **RECENT PUBLICATIONS & SPEAKING ENGAGEMENTS:**

Mike is a frequent speaker on real estate topics. He has addressed two annual meetings of the American Bar Association, Real Property, Probate and Trust Section, and made presentations at local seminars on purchases and sales, financing and leasing.

#### **RECOGNITION:**

Mentor of the Year, King County Bar Association Young Lawyers Division (2010)

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