



## SCOTT A.W. JOHNSON

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### PRACTICE OVERVIEW:

Scott has over 23 years experience as a trial lawyer helping clients successfully resolve challenging complex business and commercial disputes in both state and federal courts. Scott has experience in consumer class actions, intellectual property litigation, antitrust and consumer protection, trust and estate litigation and claims involving fiduciaries.

### PRACTICE AREAS:

Litigation

Class Actions

Intellectual Property

Trust and Estate Litigation

Alternative Dispute Resolution

### EDUCATION:

American University, Washington College of Law, J.D., *magna cum laude*, Notes and Comments Editor of *The American University Law Review* (1985)

University of Washington, B.A. in Business Administration (Accounting) (1980)

### ADMITTED TO PRACTICE:

Washington (1985)

U.S. Supreme Court (1996)

U.S. Court of Appeals for the Ninth (1987) and Federal Circuits (1986)

U.S. District Courts for the Western (1986) and Eastern (1989) Districts of Washington

U.S. Court of Federal Claims (1986)

U.S. Tax Court (2008)

*Stokes Lawrence, P.S.*

## **REPRESENTATIVE WORK:**

Defended T-Mobile USA, Inc. in a putative class action challenging charges for text messaging services.

Defended Cingular Wireless in several putative class actions challenging certain bill charges.

Obtained arbitration award for T-Mobile USA, Inc. against Qwest Corporation for unlawful charges for local calls in violation of the Telecommunications Act of 1996.

Obtained a favorable jury verdict in federal court for AT&T Wireless Services in an action for patent malpractice that had resulted in the loss of its rights to an important advance in cellphone technology.

Obtained a judgment after trial in favor of Frontier Bank, the PR of an estate, against claims that the decedent had been in a foreign common law marriage.

Advised Claircom, an air-to-ground telecommunications company, in an effective strategy to terminate the service with several major domestic commercial airlines, without breaching its contracts.

Obtained a preliminary injunction in federal court for Reliable Computers, a developer of computer software and hardware control systems, in an action for trademark and copyright infringement and breach of contract by its exclusive U.S. vendor.

## **PROFESSIONAL & COMMUNITY ACTIVITIES:**

Adjunct Faculty in Trial Advocacy, University of Washington, Seattle, Washington (2007-2008, 2010)

Director, Washington Coalition for Open Government, a group promoting transparency in state and local government, and is a member of its legal committee (2007-present)

Cooperating attorney, ACLU of Washington (since 1987); counsel of record and author of an amicus brief to the United States Supreme Court for the ACLU and several of its chapters on the constitutionality of civil commitment statutes

Co-Chair Local Rules Committee, Federal Bar Association for the Western District of Washington (2010)

Member, Judiciary Committee, King County Bar Association (2010)

Chairman of the Board and Director, Delta Upsilon International Fraternity, Inc. (1992-2001), and Trustee, Delta Upsilon Educational Foundation, Inc. (2001-2002)

Director, Washington Ceasefire and the Ceasefire Foundation of Washington, an anti-gun violence education and lobbying group (1998-2002)

Trustee, King County Bar Foundation (1994-1997)

Chair, Young Lawyers Division of the King County Bar Association (1993-1994)

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

"When Attorneys Fees Are Awarded (or Not) & the Role Attorney Fees Play in Mediation & at Trial," Speaker, 8th Annual Trust & Estate Litigation Seminar, WSBA Real Property Probate & Trust Section (March 2011)

"Best Practices to Avoid Rule 11 Sanctions & Ethical Pitfalls," presenter, Elder Law Best Practices, WSBA Elder Law Section (January 2011)

"Washington's Slayers & Abusers Statute: 2009 Amendments to RCW Ch. 11.84" presenter, 55th Annual Estate Planning Seminar, Estate Planning Council of Seattle and WSBA (November 2010)

"Understanding TEDRA," Probate Boot Camp, WSBA CLE, Seattle, Washington (Sept. 2010)

"Broad and Sweeping Amendments to the Slayer Statute," presenter, 7th Annual Trust and Estate Litigation Seminar, WSBA-CLE (March 12, 2010)

*Who Gets the Proceeds of Life Insurance*, with Karolyn Hicks, 37 REAL PROPERTY PROBATE & TRUST (WSBA, Winter 2010)

*Litigating the Department of Revenue & Estate Tax Regulations on Pre-enactment Federal QTIP Property*, 36 REAL PROPERTY PROBATE & TRUST (WSBA, Spring 2009)

"Washington's Open Public Meetings Act," Open Government A to Z, WCOG, Seattle (Sept. 2010, Sept. 2009)

*Estate Disputes*, WASHINGTON PROBATE DESKBOOK, Chapter 9, with Karolyn A. Hicks, Washington State Bar Association (2005)

*Attorneys' Fees in Trust and Estate Disputes Before and After TEDRA*, 27 REAL PROPERTY PROBATE & TRUST, No. 2 (WSBA, Summer 1999)

*Lindahl versus Bronger: The Federal Circuit's Jurisdiction Over the MSPB's Civil Service Retirement Decisions*, 34 AM. U. L. REV. 695 (1985)

Scott has been a frequent speaker on fiduciary litigation, trust and estate disputes, mediation and settlement, trial skills and open government

#### **RECOGNITION:**

Washington Super Lawyers<sup>®</sup> (2002-2011)

Top Lawyer, WASHINGTON CEO magazine (2008)

Justice League, WASHINGTON CEO magazine (2006)

AV<sup>®</sup> rated by Martindale-Hubbell Peer Review

The Best Lawyers in America<sup>®</sup> in Litigation - Trusts & Estates (2012)

#### **BACKGROUND & INTERESTS:**

Law Clerk, Senior Circuit Judge Wilson Cowen, U.S. Court of Appeals for the Federal Circuit

Associate, Perkins Coie, Seattle, Washington