

## Richard B. Jolley

Shareholder

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### Bio

Richard is an experienced trial lawyer with a practice that emphasizes trying and winning lawsuits on behalf of his clients. He has tried over twenty civil lawsuits in defense of clients ranging from government entities to ski areas. He has significant experience in Federal Court trying more than a dozen cases as lead defense counsel. Richard is a shareholder with Keating Bucklin and has previously served as a county prosecutor in Clark County, Washington and as an officer and judge advocate in the United States Marine Corps. Richard was born in Lafayette, La and is a graduate of the University of Utah and Seattle University School of Law. He is a member of the Washington, Montana and Wyoming state bar associations and has previously served as the head of the Wa. Defense Trial Lawyers Government Liability Section.

### Representative Cases

- Koenig v. City of Bainbridge Island et al
- USDC, W.D. Wa, Tacoma, Judge Robert Bryan
- Plaintiff Kim Koenig, a Seattle attorney, alleged that a Bainbridge Island police officer falsely arrested, sexually assaulted and strangled her during the course of a traffic stop. Another Bainbridge Island officer initiated the traffic stop to investigate her husband, well-known Seattle civil rights attorney John Muenster, for DUI. When Plaintiff attempted to intervene to provide her husband legal advice, she was arrested for obstructing. Following a two week jury trial in federal court, the jury returned a defense verdict vindicating the city and the named police officer.
- Richter v. City of Renton et al
- USDC W.D. Wa, Judge John Coughenour
- Multiple plaintiffs brought suit in federal court alleging the city and an individual police officer violated their constitutional rights in the course of obtaining and executing a search warrant at a local pawn shop. A jury ruled in favor of the police officer following a jury trial in Judge Coughenour's court. The court had earlier dismissed the claims against the city based on a motion for summary judgment.
- Whitford vs. Mt Baker Ski Area
- USDC W.D. Wa, Judge Ricardo Martinez

- Plaintiffs, Canadian citizens, alleged that Mount Baker's negligent operation of a chairlift injured Mr. Whitford when he fell from a chairlift and suffered knee and back injuries. Richard and Ruth Nielsen of Nielsen Law Offices defended Mt. Baker during a week-long jury trial in federal court. The jury found Plaintiff Whitford 85% at fault which ultimately resulted in only a four-figure damage award.
- Miller v. Mt Baker Ski Corporation-Richard and Ruth Nielsen of Nielsen Law Offices represented Mt Baker ski area in a nearly month long trial in Whatcom County Superior Court. Plaintiff suffered catastrophic injuries, including paralysis and a brain injury, when she was struck by snow falling from the roof of Mt. Baker's White Salmon Day Lodge. She alleged negligence in the design of the building and Mt Baker's system for ensuring that the area was protected from frequent falling snow. The jury concluded that Plaintiff was 85% at fault which produced a net verdict that failed to even cover Plaintiff's costs.
- Dualeh v. Renton, Tukwila and Auburn Police Detectives-Richard and Jeremy Culumber represented various local narcotics detectives in a four day trial in federal court in Seattle. Plaintiffs alleged civil rights violations under 42 USC 1983 for alleged wrongdoing as the detectives served a narcotics search warrant. After numerous claims were dismissed at summary judgment, including alleged violations of Plaintiffs' religious rights, the jury rendered a defense verdict on behalf of the police officers at trial. This case served as a companion to another case where Richard and Jeremy obtained summary judgment dismissal of alleged religious rights violations brought by members of the local Muslim community during the execution of a search warrant.
- Successfully represented an Arlington police officer and the city of Arlington in a jury trial in federal court. Plaintiff and her husband, a police officer, claimed that she had been falsely arrested and that the city violated her constitutional rights by ratifying the officer's unlawful conduct. Following a four day jury trial in federal court, the jury returned with a defense verdict.
- Brutsche v. Port of Seattle et al;- a defense verdict in a federal court jury trial stemming from the execution of a search warrant by a multi-jurisdictional SWAT team.
- Dickinson v. City of Kent et al-defense verdict in a federal court jury trial on behalf of several individual officers and the city of Kent. The Plaintiff alleged that a k-9 application, which ultimately cost him his leg, was an unconstitutional use of force.
- Pruitt v. City of Arlington et al- a defense verdict in a federal court jury trial on behalf of the city of Arlington and an individual police officer. Plaintiff alleged that her arrest constituted a violation of her 4th amendment rights as well as a false arrest and malicious prosecution.
- Evans v. City of Kirkland- termination of a city police officer for misuse of confidential databases upheld during grievance arbitration challenging termination for cause.
- Trevino v. City of Monroe et al; USDC WD WA., Feb 2006
- Represented city of Monroe and individual police officer in section 1983 lawsuit in federal court. Plaintiff claimed that a sergeant of the Monroe Police Department wrongfully arrested her following execution of a warrant for a search of her home and for her boyfriend's arrest. After a four day trial before Judge Lasnik, the jury ruled in defendants' favor.
- Defense verdict in federal court on behalf of two Tukwila police officers in civil rights trial where Plaintiff alleged excessive force and false arrest

- Defense Verdict for City of Bothell and individual Police Officer in Federal Civil Rights suit.
- Defense Verdict for the City of Puyallup in Malicious prosecution lawsuit in Pierce County Superior Court
- Defense Verdict for City of Arlington in lawsuit alleging violation of the Domestic Violence Protection Act brought in Snohomish County Superior Court.
- Defense Verdict for City of Lake Stevens in lawsuit alleging Violation of the Americans with Disabilities Act brought in Federal court.
- Defense Verdict for City of Enumclaw and Individual Police Officers in Federal Civil Rights Lawsuit
- Defense Verdict for City of Kent and Individual Police Officers in Civil Rights lawsuit in King County Superior Court
- Defense Verdict for Anacortes Police Officer in 4th amendment case brought in Skagit County Superior Court

## Presentations

Selected Lectures and Invited Presentations:

Richard spoke at the annual WSAMA (municipal attorneys' association) meetings in Spokane in October 2009. He presented on use of force liability issues in the context of police misconduct litigation.

Richard also spoke at the Regional FBI Academy conference in Leavenworth in October 2009. He lectured on Tasers, K-9 applications and other hot-button use of force issues in police misconduct litigation.

Lorman Police Liability Seminar - Jan 2004

Police Liability and the ADA

Washington Assoc. of Municipal Attorneys - May 2004

Avoiding Prosecutorial Liability

Lorman Police Liability Seminar - January 2003

Survey of a 1983 Lawsuit from Complaint through Trial

Police Pursuit Update

Washington Cities Insurance Authority Risk Management Seminar,  
Stanwood, WA - April 2002

EMT and Paramedic Liability Seminar

St. Marys Hospital, Walla Walla, WA - October 2001

EMT and Paramedic Liability Seminar

Washington Cities Insurance Authority Risk Management Seminar,  
Stanwood, WA - March 2001

EMT and Paramedic Liability Seminar

Pullman WA Police Dept. Risk Management Seminar, Pullman,  
WA - August 2001  
Limiting Police Liability

## Professional and Community Activities

- Former Head of the Washington Defense Trial Lawyers (WDTL) Government Liability Committee
- Member- Washington, Montana and Wyoming State Bar Associations
- Member - Washington Defense Trial Lawyers (WDTL)
- Member - Seattle-King County Bar Association

## Education, Recognition, and Honors

### Education:

- University of Utah - B.A. Degree - 1990
- Seattle University - J.D. Degree - 1993

### Licensed:

- State of Washington - 1993
- State of Utah - 1997

### Admitted:

- All Washington Courts (Federal and State)
- Utah (currently inactive)
- United States Court of Appeals, Ninth Circuit
- United States Supreme Court

### Previous Legal Experience:

- Former Officer with the Judge Advocate General (JAG) Corps, U.S. Marine Corps
- Former Deputy Prosecutor for Clark County, Washington