

Ruth Nielsen

Of Counsel

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Bio

Ruth Nielsen is a shareholder with the firm and has practiced law in Washington for over 30 years, specializing primarily in sports-related personal injury defense and outdoor product liability defense. She also handles employment disputes for employers, including investigation of employee claims and defense at trial. She was a shareholder for 8 years in the Seattle law firm of Carney, Badley, Smith and Spellman before leaving that firm and founding Nielsen Law Office where she represented industry clients for 17 years before joining KBM. Ms. Nielsen's clients include ski areas, ski schools, outdoor adventure companies, guide companies, outdoor clubs, scuba diving schools, and manufacturers and retailers of sporting and camping equipment. Ms. Nielsen has successfully defended and resolved claims involving a variety of outdoor recreational pursuits, including skiing, rock climbing, mountaineering, mountain biking, road biking, backpacking, scuba diving, water skiing and wakeboarding. She has an active trial practice and has obtained multiple defense verdicts in wrongful death and serious injury claims.

In addition to successfully defending lawsuits and resolving claims, Ms. Nielsen offers a variety of risk management services to clients in the outdoor industry to reduce the potential for litigation. These services include accident investigation, review of liability releases, documentation and quality assurance procedures, recommendations and procedures for handling customer complaints and accidents, recommendations for document retention programs, review of product warnings and labels, review of client training materials and employee handbooks, and issues related to product recalls.

Representative Cases

Schiro v. Crystal Mountain – Ski area injury case, 7 figures demanded pre-trial, defense verdict after a 5 week trial in Pierce County. Co-counsel with Amanda Butler.

Ponce v. the Mountaineers – Wrongful death of a minor child, \$10 Million dollar demand at trial, 3 week jury trial in King County, Seattle – defense verdict.

Bube v. Stevens Pass - Personal injury claim against ski area, \$600,000 settlement demand prior to trial, \$1 Million dollar demand at trial, two week jury trial in King County, Seattle – defense verdict.

Whitford v. Mt. Baker – Personal injury claim against ski area, 10 day trial in federal court, \$500,000 demand at trial, jury found plaintiff 2/3 at fault and ultimate award based on 1/3 fault attributed to defendant was \$7,800.

Miller v. Mt. Baker – Premises liability claim against ski area based on snow sliding off a roof; plaintiff was paraplegic. Plaintiff made a \$7 Million dollar settlement demand prior to trial, and a \$5 Million dollar settlement demand during trial. After a three and a half week trial plaintiff's counsel asked jury to award \$8 Million dollars. The jury found plaintiff 85% at fault - the ski area was ultimately responsible for 15% of the damages awarded. The final award was approximately \$370,000. The costs incurred by plaintiffs' firm exceeded \$600,000.

Brown v. Stevens Pass - Personal injury claim against ski area. \$2 Million dollar demand at trial. After 2½ week trial jury found plaintiff 90% at fault and awarded plaintiff \$6,000.

Westcott v. Stevens Pass – Personal injury claim against ski area. First two week trial resulted in mis-trial. Plaintiff's demand at trial was \$2 Million dollars. Case re-tried and after a two week trial jury returned a defense verdict.

Other similar personal injury trials – 1-2 week jury trials resulting in Defense Verdicts

- Flaiz v. Ski Bluewood
- Horner v. Ski Bluewood
- Williams v. Mission Ridge
- Slater-Braun v. Crystal Mountain
- Hemmen v. Mt. Baker
- Davisson v. Stevens Pass

Wrongful death Scuba diving cases representing scuba diving schools and instructors resulted in satisfactory settlements. Co-counsel with partner Amanda Butler.

Presentations

Ms. Nielsen is a frequent speaker on defense litigation strategies and risk management issues related to outdoor recreation; and offers risk management training seminars to her clients and their employees.

Professional and Community Activities

Ms. Nielsen is a member of ASTM committees, serves on the Board of Directors of ASDA (Association of Ski Defense Attorneys), and is a member of the Advisory Board of the Seattle Mountaineers. She is a past president of ASDA and a past board member of the Access Fund.

Member of the Washington State Bar Association

Member of the U.S. District Court Western District of Washington

Member of the U.S. District Court Eastern District of Washington

Member of the U.S. Ninth Circuit Court of Appeals

Education, Recognition, and Honors

Graduated Cum Laude from the University of Utah with a BA (1977)

Received a Juris Doctorate from University of Utah College of Law (1980)

Law Review Staff Member

Moot Court Honor Board Member

Awarded the 2012 Lifetime Achievement Award by the National Ski Areas Association (NSAA) in recognition for contributions to the ski industry.