



## Curtis A. Welch

SPECIAL COUNSEL

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O: 503.972.2529

### **My Assistant**

Amanda S. Sandberg 503.243.1661 x246

In Curt's Construction Law practice in Oregon and Washington, he regularly represents contractors, subcontractors, suppliers, equipment rental companies, commercial property owners, and other businesses. His work includes reviewing, drafting and negotiating contracts; advising clients on the day-to-day operation of their business; and pursuing or defending claims on projects, including claims for breach of contract, lien claims and bond claims. Curt has long had an AV® rating from Martindale-Hubbell, an honor awarded to only approximately 10% of lawyers nationwide. That honor is given to those lawyers having the highest professional ability and highest ethical standards.

In his Litigation practice, he has represented clients in a wide array of cases, including achieving successful verdicts or decisions in construction cases, real property cases, business cases, real estate cases, and tort cases.

In his Real Property practice, he has obtained successful results for clients in a wide range of matters, including real property purchases, leases, easements, boundary line disputes, adverse possession claims, claims for nuisance, claims for trespass, and real property partition claims.

In Curt's Insurance Law practice, he has many years of experience in representing clients in cases involving claims of negligence or other torts. He also regularly advises insurance industry clients on matters involving insurance policies and coverage matters.

### **Industries**

**Construction**

**Real Estate and Land Use**

### **Practices**

**Litigation**

**Real Estate and Land Use**

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### **Education**

, Oregon Institute of Technology,  
Dean's List

B.S., University of Oregon  
Economics

J.D., University of Oregon School of  
Law

Articles Editor, Oregon Law Review

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### **Admissions**

- Oregon State Bar
- Washington State Bar
- United States District Court for the District of Oregon
- United States District Court for the Western District of Washington
- United States Court of Appeals for the Ninth Circuit

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### **Honors**

“It was great to see a professional like yourself at work in the court room. All your hard work paid off.”

“Curt has handled a majority of our corporate matters over the past 30 years and we are very satisfied and happy with all that he has done and will continue to do on our behalf.”

“Curt’s knowledge, depth of experience and stolid competence gave us great belief in his ability to prosecute a successful conclusion.”

“It is worth noting that Curt has many talents that make him the remarkable lawyer that he is but chief among them is his ability to listen.”

“Good and ethical lawyer to work with, straight ahead guy.”

- AV® Preeminent rating, Martindale-Hubbell
- Fellow, American Bar Foundation
- Distinguished Service Award, Oregon State Bar Construction Law Section, Executive Committee

## THE ADVANTAGE OF WORKING WITH ME

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I have a substantial number of years of experience representing clients in Oregon and Washington, primarily in the areas of Construction Law, Civil Litigation, Real Estate and Insurance. I represent a wide range of clients, from Fortune 500 companies, to medium-sized and smaller family owned businesses, to individuals. I work very hard on behalf of clients and am genuinely concerned about them and arriving at a successful solution to legal issues that they have.

For those matters that cannot be resolved through negotiation and that proceed to litigation, I draw on an extensive background in litigating a wide range of matters. I have regularly achieved successful verdicts or decisions for clients over many years, in both Oregon and Washington, whether before a jury, a judge, or an arbitrator.

My extensive experience in practicing law helps not only with substantive knowledge of the law and the legal system, but also with perspective on cases and legal issues.

## REPRESENTATIVE WORK

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- Won a verdict in a two and a half week trial in Washington awarding substantial damages to a client based on the defendants' fraudulent transfer of valuable real properties.
- Prevailed at trial in a client's lawsuit against a County government in Washington for breach of contract.
- Won a unanimous jury verdict for clients in a tort case in Circuit Court in Oregon.
- Prevailed at trial in Superior Court in Washington in a client's construction lien foreclosure action for work done on a gas station. Client was awarded a judgment for foreclosure, damages and attorney fees.
- Won a jury verdict for a large corporate client that had been sued in Superior Court in Washington.
- Won at trial a lien foreclosure action for a construction subcontractor client in Washington.
- Won a jury verdict for a client in a case in Circuit Court in Oregon for the client's claims against a contractor.
- Co-counsel in federal court case in Oregon prevailing at trial and being awarded substantial damages and punitive damages in clients' claims against large national corporate landlord, and wrote briefing for clients' successful defense of defendant landlord's appeal to the Ninth Circuit Court of Appeals.
- Successfully defended at trial in Clark County Superior Court a client who had been sued for breach of contract.
- Successfully defended a client's construction lien from challenge in Circuit Court in Oregon.
- Prevailed in Circuit Court in Oregon in a client's lien foreclosure action for roofing work done on a large structure. Client was awarded a judgment for foreclosure, damages and attorney fees.
- Successfully defended a party in a civil case that included allegations of fraud, gaining dismissal on summary judgment of the plaintiff's claims, and obtaining a large award for the client on their counterclaims, and prevailing on the plaintiff's appeal to the Court of Appeals.
- Successfully represented a working staffing company in Circuit Court in Oregon in its claims against a contractor, winning a large judgment for the client and an award of attorney fees.
- Won at trial in Superior Court in Washington a lien foreclosure action for an electrical subcontractor client.
- Won a trial in Circuit Court in Oregon involving a client's claim in a Will contest case. The win established the client's right to the

money and property that had been devised to the client, but that had been withheld by the executor.

- Represented landowners in eminent domain lawsuits.
- Represented clients in real property partition lawsuits.
- Successfully defended a client in Superior Court in Washington in a boundary dispute case, in which the plaintiff sought to take a substantial portion of the client's land under an adverse possession theory.
- Co-counsel in federal court case in Oregon prevailing at trial in the defense of plaintiff's claims against our client for breach of a covenant not to compete.
- Successfully defended a client's construction lien from challenge in Superior Court in Washington.
- Prevailed in a lawsuit in Superior Court in Washington by an owner against a contractor, winning a large judgment, and obtaining dismissal of the contractor's large counterclaims.
- Successfully defended a lien foreclosure action in a Superior Court case in Washington, resulting in full dismissal of the claimant's lien.
- Won at arbitration in a case in Oregon an owners' claim against a general contractor for breach of contract and construction defects.
- Won at arbitration in an Oregon matter a company's claim against a contractor for failing to pay for labor. The client company was awarded attorney fees.
- Prevailed on summary judgment in Superior Court in Washington whereby court dismissed the plaintiff's claims against my corporate client for breach of contract and bad faith.
- Successfully defended at arbitration in an Oregon matter a party wrongly accused of misrepresentation in a real estate transaction, and obtained a decision fully dismissing the plaintiff's claim, plus awarding attorney fees to the client.
- Co-counsel in case in Circuit Court in Oregon winning a large judgment against a multinational corporation for breach of a third-party beneficiary contract, and wrote briefing for successful defense of defendant's appeal to the Oregon Court of Appeals.
- Achieved dismissal via motion of all claims against my client in a tort case in Superior Court in Washington.
- Successfully defended at arbitration a party who had been sued in a real estate transaction, and obtained a decision fully dismissing the plaintiff's claims.
- Represented clients in multiple Family Law trials, including representing a client in a long child custody trial involving the client's claim for custody of two children.

- Represented clients in many personal injury trials and arbitrations.
- Represented clients in numerous contested case proceedings before State administrative agencies.
- Represented clients in cases involving claims for trespass and nuisance.
- Achieved large settlements for multiple construction clients in relation to Oregon and Washington public works projects and in relation to private projects in those states.
- Drafted and negotiated numerous construction contracts and documents on behalf of clients.
- Drafted and reviewed numerous documents related to real estate transactions, including deeds, loan documents including notes and trust deeds, real estate contracts, easements, licenses, construction liens, and boundary line agreements.
- Prepared, for numerous construction clients and business clients over many years, their corporate formation documents and corporate maintenance documents, and represented clients in contractor licensing matters.

## **PUBLICATIONS**

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### **Articles**

- [Oregon's Contempt Procedure For Failure to Truthfully Answer Judgment Debtor Interrogatories \(December 2022\)](#)
- [Provision in Washington's Construction Lien Law Provides Important Protections to Lien Claimants Against Coercive Acts of Others \(June 2021\)](#)
- [The Contractor's Burden of Proof for An Affirmative Defense Based on The Spearin Doctrine: A Recent Case Provides Clarification \(December 2020\)](#)
- [Third-Party Beneficiary Claims Arising Out of the Breach of a Joint Check Agreement \(November 2019\)](#)
- [Washington's Summary Procedure for Removal of a Frivolous Construction Lien \(November 2018\)](#)
- Repair Work May Extend the Time for Recording a Washington Construction Lien
- Update to Clark County Superior Court Judges' Jury Selection Procedures
- Washington Contractors Lose Lien Rights For Failure To Deliver A Disclosure Statement
- Find Payment Security in Washington's Stop Notice Statute

- Analysis of Oregon's Economic Waste Doctrine in Construction Defect Cases
- Risky and Unconventional: Trying to Apply the Provisions of Ors 205.450-470 To Challenge A Construction Lien
- The Importance of Determining "Commencement of the Improvement"
- Accord and Satisfaction; Executory Accord; and Substituted Contract
- Stonewood Design v. Infinity Homes: Court Places Substance Over Form Re: Lien Release Bonds
- ["Comparable Worth: The Struggle for Pay Equity" 65 Or. Law Rev. 145 \(1986\), University of Oregon Law Review](#)

## **SPEAKING ENGAGEMENTS**

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- Washington Construction Lien Law and Bond Law, NACM Oregon (2017 - 2020)
- Construction Law, Stop Notices and Retainage Lien Claims, Oregon State bar Construction Law CLE (2012)
- Multiple seminars on Oregon and Washington Construction Lien Law and Contract Law, sponsored by Lien Research Corporation; Building Materials Dealers Association; and Building Industry of Southwest Washington (1998 - 2007)
- Washington Bond Claims and Retainage Lien Claims, Oregon State Bar/Clark County Bar Association combined CLE (2005)
- Contract Law, National Precast Association (2005)
- Multiple seminars on Oregon Construction Lien Law, sponsored by Duggan Schlotfeldt & Welch PLLC (1998 - 2004)
- Oregon Construction Lien Law seminar, Northwest Door and Operator Association (2003)
- Oregon Construction Lien Law seminar, Professional Land Surveyors Association (1999)

## **ORGANIZATIONS**

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### **Professional Affiliations**

- Oregon State Bar Construction Law Section Executive Committee
  - Chair 2021
  - Chair Elect 2020
  - Secretary 2019

- Treasurer 2018
  - Committee Member, 2012 to present
- Southwest Washington Contractors Association
  - President 2005
  - Vice-President 2004
  - Committee Member, 1998 to present
- Multnomah County Bar Association
  - Multnomah County Bar Professionalism Committee
- American Bar Association
- Clark County Bar Association
- Washington State Bar Association
- Oregon State Bar Association

### **Community Affiliations**

- Washington Supreme Court Pro Bono Publico Honor Roll for pro bono service and community service, 2014-2016, 2018-2024
- Mock Trial Coach, Cascadia Tech Academy, 2012-2025  
Member, Clark County Superior Court Bench/Bar Committee, 2012-2025
- Youth sports coach for team sports, 1994-2010

### **PERSONAL INTERESTS**

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In his spare time, Curt enjoys running, biking, travel, and spending time with family.