



## Michael E. Farnell

Partner

Paternoster Farnell & Grein, LLP  
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### *Practice Areas*

*Insurance Recovery  
Litigation*

### Overview

Mike leads the policyholder insurance recovery group at PFG. He is one of the most sought-after insurance coverage attorneys in the Northwest exclusively representing policyholders.

Mike has represented businesses and individuals in disputes with insurance companies for over 30 years, obtaining successful settlements and verdicts in a wide variety of insurance claims, including general liability, directors and officers, professional liability, property, employee dishonesty and fidelity bonds, health and disability benefits, social engineering, and cyber fraud. Mike also has extensive appellate experience. He has been selected for inclusion in Oregon Super Lawyers® in every year that designation has been available in Oregon.

Raised and educated in Oregon and Washington, Mike has deep roots in the Pacific Northwest. This translates into an extensive knowledge of the community and a deep commitment to the success of Northwest businesses. Mike is committed to maintaining relationships with his clients in order to provide each client with superior service.

### Representative Clients & Work

#### Representative Clients

State of Oregon

Umpqua Bank

Ash Grove Cement Company

Gerding Edlen Development Co. LLC

Marion County, Oregon

City of Portland, Oregon  
Arbor Custom Homes  
Oregon Shakespeare Festival  
Walsh Construction Co.  
Wawa, Inc.  
Jeld-Wen Holding, Inc.  
California Ironworkers Field Pension Trust  
Hoffman Corporation  
Andersen Construction  
Howard S. Wright Construction  
West Hills Development Company  
Hyster-Yale Group, Inc.  
Les Schwab

**Representative Work**

*Thabet Management, Inc. v. Nautilus Ins. Co.*, CIV. 6:20-cv-02111-AA, 2021 WL 2555127 (D. Or. June 22, 2021)

*Hospitality Management, Inc. v. Preferred Contractors Ins. Co.*, CIV. 3:18-cv-00452-YY, 2021 WL 3700264 (D. Or. March 17, 2021)

*Allianz Global Risks US Ins. Co. v. Ace Property & Casualty Ins. Co.*, 367 Or. 711, 483 P.3d 1124 (2021)

*Alkemade v. Quanta Indemnity Co.*, 687 Fed.Appx. 649 (2017)

*Oregon Shakespeare Festival Association v. Great American Insurance Company*, CIV. 1:15-cv-01932-CL, 2017 WL 1034203 (D. Or. March 6, 2017)

*West Hills Development Company v. Chartis Claims inc.*, 284 Or.App. 133, 391 P.3d 851 (2017)

*West Hills Development Company v. Chartis Claims inc. Oregon Automobile Insurance Company*, 360 Or. 650, 385 P.3d 1053 (2016)

*Chartis Specialty Ins. Co. v. American Contractors Ins. Co. Risk Retention Group*, CIV. 3:13-CV-01669-KI, 2014 WL 3943722 (D.Or. Aug. 12, 2014)

*FountainCourt Homeowners' Ass'n v. FountainCourt Development, LLC*, 264 Or.App. 468, 334 P.3d 973 (2014)

*American Honda Motor Co., Inc. v. St. Paul Fire & Marine Ins. Co.*, CIV. 3:11-cv-00344-HU, 2013 WL 1103030 (D.Or. March 15, 2013)

*Freitag v. Catlin Indemn. Co.*, CIV. 6:12-cv-0111-TC, 2013 WL 3874077 (D. Or. July 23, 2013)

*Insurance Company of Pennsylvania v. West Hills Development Company, Inc.*, CIV. 3:11-CV-374-PK, 2012 WL 13055590 (D. Or. May 23, 2012)

*State Farm Fire and Cas. Co. v. Arbor Vineyards Homeowner's Ass'n*, CIV. 10-504-HU, 2011 WL 198145 (D. Or. Jan. 18, 2011)

*Umpqua Bank v. Progressive Cas. Ins. Co.*, CIV. 10-6423-AA, 2011 WL 5563638 (D. Or. Nov. 14, 2011)

*Employer's-Shopmens Local 516 Pension Trust v. Travelers Cas. And Sur. Co. of America*, 235 P. 3d 689 (2010)

*Ash Grove Cement Co. v. Liberty Mut. Ins. Co.*, CIV. 09-239-KI, 2010 WL 3894119 (D. Or. Sept. 30, 2010)

*Mt. Hood, LLC v. Traveler's Cas. And Sur. Co. Of America*, CIV. 08-1068-AA, 2009 WL 536848 (D. Or. Mar. 3 2009)

*United Associations Union Local No. 290, on behalf of U.A. U. Local No. 209 Plumber, Steamfitter & Shipfitter Industry 401(k) Plan and Trust v. Federal Ins. Co.*, CIV. 07-1521-HA, 2008 WL 11389526 (D. Or. Oct. 7, 2008)

*Triad Mechanical, Inc. v. Royal Surplus Lines Ins. Co.*, CIV. 07-740-HU, 2007 WL 3226690 (D. Or. Oct. 29, 2007)

*Triad Mechanical, Inc. v. Coatings Unlimited, Inc.*, CIV. 07-516-HU , 2007 WL 2713842 (D. Or. Sept. 12, 2007)

*Hartford Fire Ins. Co. v. Office of Professional Employees Intern. Union, Local No. 11*, CIV. 05-221-KI, 2005 WL 1981291 (D. Or. Aug. 15, 2005)

*Associated Builders and Contractors, Inc. v. Tri-County Metropolitan Transp. Dist. Of Oregon (Tri-Met) Bd. Of Directors*, 12 P.3d 62 (2000)

*Gilliam County vs. Department of Environmental Quality*, 319 Or. 251, 876 P.2d 749 (1994)

### **Presentations & Publications**

*Professional and General Liability Insurance for Engineers* (Engineering Law Conference 2020), speaker

*More Misconceptions and Myths About Construction Insurance* (The Seminar Group 2020), speaker

*Professional and General Liability Insurance for Engineers* (Engineering Law Conference 2019), speaker

*Misconception and Myths About Construction Insurance* (The Seminar Group 2019), speaker

*Does Oregon Have Bad Faith or Not?* (The seminar group 2019), speaker

*Bad Faith Remedies and Stipulated Settlements: A Mock Negotiation* (The Seminar Group 2018), co-chair and speaker

*Misperceptions and Myths about Construction Insurance* (The Seminar Group 2018), speaker

*Insurance in the Construction Industry – Case Law and Regulatory Update* (The Seminar Group 2017), co-chair and speaker

*Oregon Construction Law – Insurance Considerations* (The Seminar Group 2017), speaker

*Oregon Construction Law – At Least I'm Insured (I Think)* (The Seminar Group 2016), speaker

*The Setup: How a Jurisdiction's Insurance Bad Faith Law Affects the Resolution of Construction Defect Claims* (West Coast Casualty 2016), speaker

*What Debtor-Creditor Lawyers Need to Know about Insurance Law* (Oregon State Bar 2016), speaker

*Condominiums: Opportunities and Pitfalls – Insurance Considerations* (The Seminar Group 2015), speaker

*Professional and General Liability Insurance for Engineers* (HalfMoon Education 2015), speaker

*A Primer on Insurance Coverage for Construction Defect Liability* (The Seminar Group 2014), co-chair and speaker

*Insurance Law Conference – Case Law and Regulatory Update* (The Seminar Group 2014), speaker

*Can Coverage Be Resolved Prior to Mediation* (MC Consultants 2013), panelist

*Insurance Issues Affecting Oregon & Washington Construction Disputes* (Oregon State Bar 2013), speaker

*The Evolving World of Construction Defects, Insurance Coverage and Litigation* (The Seminar Group 2013), speaker

*Insurance Coverage Issues of Significance* (The Seminar Group 2013), speaker

*Insurance in the Construction Industry* (The Seminar Group 2012), program chair and moderator

*Insurance Coverage in Construction Defect Litigation 101*(Multnomah Bar Association 2011), speaker

*Issues With Funding of a Construction Defect Case — 2nd Annual Pacific Northwest Construction Defect Seminar* (MC Consultants, Inc. 2011), panelist

*Insurance in the Construction Industry* (The Seminar Group 2011), program chair and moderator

*Insurance Issues Affecting Construction Disputes — 2011 Oregon and Washington Construction Law: Comparison and Contrast* (Oregon State Bar – Construction Law Section 2011), speaker

*Mediation and Arbitration — The Evolving World of Construction Defects* (The Seminar Group 2011), panelist

*Pacific Northwest Coverage and Current Trends — 17th Annual West Region Construction Defect and Insurance Coverage Conference* (MC Consultants, Inc. 2011), panelist

*Insurance Coverage Issues of Significance: Recent Coverage Developments — 16th Annual Oregon Construction Law* (The Seminar Group 2011), speaker

*Insurance and the Construction Industry* (Oregon State Bar – Construction Law Section 2011), speaker

*Insurance Law: The Basics*, Chapter 4 “Actions By and Against Insurers” (Oregon State Bar 2011), author

*Insurance Coverage and Litigation — The Evolving World of Construction Defects* (The Seminar Group 2010), speaker

*16th Annual West Region Construction Defect and Insurance Coverage Conference* (MC Consultants, Inc. 2010), speaker

*15th Annual Oregon Construction Law* (The Seminar Group 2010), speaker

*Insurance Coverage and Litigation — The Evolving World of Construction Defects* (The Seminar Group 2009), speaker

*Top West Region Appellate Cases — 15th Annual West Region Construction Defect and Insurance Coverage Conference* (MC Consultants, Inc. 2009), panelist

### **Education**

Seattle University School of Law, J.D.

Willamette University, B.A.

### **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

### **Memberships & Awards**

Multnomah Bar Association

Best Lawyers in America (2019-2021)

Super Lawyers, Top 50 Lawyers in Oregon (2018-2021)

Super Lawyers, Insurance Coverage (2006 – 2021)