

Avi J. Lipman

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About

Avi Lipman is a trial attorney and member of the firm's Litigation & Trial Practice. He represents plaintiffs and defendants in a broad range of cases, including commercial litigation, financial services, securities, professional malpractice, insurance, employment, cannabis, cryptocurrency, and other business disputes. Avi has tried and arbitrated numerous civil and criminal cases—including jury trials to verdict—throughout the Pacific Northwest and in Washington, D.C.

Before joining McNaul Ebel in 2008, Avi taught trial advocacy and practiced at the Georgetown University Law Center, where he was an E. Barrett Prettyman Fellow. He also represented clients as a trial attorney at the Defender Association of King County.

Avi earned his JD cum laude from New York University School of Law, where he was a Root-Tilden-Kern scholar. He also holds a Master of Laws (LL.M.) degree in trial advocacy from the Georgetown University Law Center.

Avi is a frequent presenter on trial practice and other issues related to complex litigation. He has served as an instructor at the National Institute for Trial Advocacy, a lecturer at University of Washington School of Law and Seattle University School of Law, and a panelist with the American Bar Association.

In his spare time, Avi enjoys snowboarding, cycling, carpentry, and playing outside with his kids.

Representative Cases & Matters

General Commercial and Business Litigation

- Represented plaintiffs in action for breach of fiduciary duty against corporate directors. Successfully argued the appeal before the Washington State Supreme Court, which unanimously ruled that Washington's Anti-SLAPP Act (RCW 4.24.525) violates the Washington State Constitution and is therefore invalid.

Practice Areas

Litigation & Trial Practice

Education

Georgetown University Law Center (LL.M., 2005)

New York University School of Law (JD, 2003), cum laude

Oberlin College (BA, 1996), with honors, Phi Beta Kappa

Bar Admissions

Washington State

New York

Court Admissions

Ninth Circuit Court of Appeals

US District Court for the Western District of Washington

Supreme Court of the United States

- Defended national franchisor against claims by franchisees alleging violations of Washington's Franchise Investment Protection Act. Jury trial resulted in a complete defense verdict and award of all attorneys' fees and costs in the clients' favor.
- Defended Fortune 100 insurance company in a coverage dispute. Defeated claims in federal court on summary judgment and negotiated a favorable settlement to resolve the appeal.
- Defended Bellevue luxury car dealer in two federal court actions, one challenging vehicle ownership, and another seeking recourse against the seller. Negotiated a favorable pre-trial settlement of the first case, and full judgment against the defendant in the second case.
- Represent national provider of down payment assistance and other defendants against claims by government agency. Defeated all claims in Division I of the Court of Appeals. Currently defending clients in the Washington State Supreme Court.
- Represent real estate investor in claims for breach of fiduciary duty and conversion against former property manager and bookkeeper.
- Represent condominium association in dispute with unit owner. Negotiated a favorable settlement in advance of litigation

Securities, Shareholder, and Closely-Held Company Disputes

- Defended shareholder of a closely held corporation against claims for breach of fiduciary duty. Jury trial resulted in a complete defense verdict.
- Represent software entrepreneur in dispute with co-founder of publicly traded SaaS company. Client's claims include securities fraud under the Washington State Securities Act and breaches of fiduciary duties.
- Represent shareholders of closely held company in intra-company dispute over governance rights.

Employment

- Represented insurance executive in claims for retaliation under the Washington Law Against Discrimination and interference under ERISA. Negotiated a favorable settlement before trial.
- Represented employer against claims filed by multiple employees with the Seattle Office for Civil Rights, Washington State Department of Labor & Industries (LNI), and Seattle Office of Labor Standards. Negotiated a favorable resolution of each dispute.

- Represented marketing executive against Fortune 100 employer. Argued successfully before Division I of the Court of Appeals, which ruled unanimously in client's favor.
- Represented senior executive at Fortune 100 employer in internal investigation. Client was exonerated and retained his position.
- Represented several executives at Fortune 500 employer in negotiating favorable separation agreements.
- Regularly advise executives in employment transitions regarding separation agreements, restrictive covenants, compliance, and best practices.
- Regularly advise employers on issues relating to compliance, best practices, and employee disputes.

Financial Services

- Defended former financial advisor against a brokerage firm's claims for breach of contract. Arbitrated before the Financial Industry Regulatory Authority (FINRA), which resulted in an award in the client's favor on counterclaims.
- Regularly counsel and successfully defend financial advisors and securities brokers with respect to claims by brokerage firms and investigations by FINRA and Washington State Department of Financial Institutions. Regularly handle arbitrations before FINRA.

Professional Malpractice

- Defended national law firm in subrogation action for professional malpractice. Defeated claims on summary judgment in state court.
- Defended Seattle law firm in action for professional malpractice. Jury trial resulted in a hung jury in the client's favor. Negotiated a favorable settlement to resolve the case.
- Defended Montana law firm in action for professional malpractice. After litigating dismissal of key claims, negotiated a favorable settlement of the case before trial.
- Defended Seattle law firm in action for professional malpractice. After litigating dismissal of key claims, negotiated a favorable settlement of the case before trial.
- Represented plaintiffs as co-counsel in a medical malpractice action for wrongful death of newborn child. Negotiated a favorable result for clients in advance of litigation.

Cannabis

- Defended cannabis retailer against complaints of employment discrimination and regulatory misconduct. Negotiated a favorable resolution of disputes with various government agencies.
- Represented third party testing laboratory in dispute with former executive and current shareholder. Negotiated a favorable separation agreement.
- Represented distributor of CBD in contract dispute with seller. Negotiated a favorable settlement in advance of litigation.
- Represent hemp extraction and refinement facility in contract dispute. Assisted client in avoiding costly litigation.
- Oversaw drafting of employee handbook for cannabis retailer in compliance with requirements of Washington State Liquor and Cannabis Board (LCB).

Cryptocurrency

- Represented client in complex commercial dispute regarding contract for delivery of cryptocurrency. Negotiated a favorable result in advance of litigation.

Awards

- Rated AV Preeminent (5.0-5.0) by Martindale-Hubbell
- Rated Superb (10.0/10.0) by Avvo
- Selected by *Washington Law & Politics* as a Rising Star (2010–2012)

Professional & Civic Involvement

- Jewish Family Service of Seattle, Board of Directors, 2014-present
- Defender Association of King County, Board of Directors, 2009-2012
- Teach for America, Oakland, CA, 1998-2000