



**Kathryn N. Boling**

Director

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#### PRACTICE AREAS

Claims Advice, Coverage Analysis, Extracontractual Exposure Advice, Insurance Coverage, Insurance Coverage Litigation, Litigation

#### OVERVIEW

Kathryn Boling represents insurers on coverage and bad faith matters, primarily litigated matters. Although she focuses primarily on disputes arising under personal lines, she has experience handling disputes arising out of all types of property and casualty insurance, including commercial liability, personal automobile, homeowner, professional liability, and D&O coverages. She has developed an interest in cyber coverage issues, both under traditional policies and emerging “cyber” insurance policies. Under each coverage, Kathryn has defended claims seeking damages under the full range of Washington law, which includes common law bad faith, negligence, the Consumer Protection Act, and the Insurance Fair Conduct Act (“IFCA”). She also handles contribution matters between insurers. She has gained particular experience in disputes over the scope of discovery in insurance bad faith matters. For all this work, Kathryn has been recognized as a “Rising Star” in Super Lawyers magazine in 2014 through 2017, and also as a “Top Female Attorney in Washington Rising Star” in Seattle Met Magazine in 2014 through 2016.

Kathryn also has significant appellate interest and experience, having handled appellate matters in a variety of subject areas, including immigration, tort, insurance, and civil procedure. Before practicing, she clerked for Judge David Armstrong at Division II of the Washington Court of Appeals for two years. Before that, Kathryn successfully briefed and argued her first appeal, an immigration asylum case before the Ninth Circuit, during an internship with the U.S. Attorney’s Office for the Western District of Washington. Also during law school, Kathryn competed at a high level in appellate competitions, where she was recognized for her oral and writing advocacy skills up to the national level. She now serves on the King County Bar Association (KCBA) Amicus Committee, which submits amicus briefs to the Supreme Court and Courts of Appeal on matters affecting the legal profession and access to justice. She is also an active member of KCBA Appellate section.

Before joining Betts Patterson Mines, Kathryn spent almost four years at the Civil Division of the Department of Justice in Washington, DC, where she specialized in defending complex environmental contamination cases filed under the Federal Tort Claims Act.

## REPRESENTATIVE MATTERS

- Defense of insurer in extra-contractual claims involving handling of water damage claim under homeowner policy. Plaintiff claimed that insurer caused substantial damages due to delays and other alleged misconduct. After discovery exposed misrepresentations by the plaintiff in her court filings, trial court imposed sanctions and the case settled for nuisance value.
- Defense of insurer in assigned suit for defense and indemnity coverage involving underlying construction defect litigation in Oregon. After filing of summary judgment motion, the case settled for far less than the potential exposure.
- Defense of insurer in equitable contribution action by another insurer who claimed reimbursement of defense and indemnity payments. After a trial in federal court, insurer was required to pay only a small share of defense costs, less than previous settlement offers.
- Defended government in a multi-district litigation (MDL) concerning personal injury and wrongful death claims based on alleged groundwater contamination at Camp Lejeune Marine Corps Training Base. Obtained dismissal on summary judgment of one lead plaintiff and created district court record on other dispositive defenses that ultimately prevailed in the U.S. Supreme Court and Fourth and Eleventh Circuit Courts of Appeals.
- Defended government in mass tort action alleging pesticide drift and resulting crop damage in Idaho. After the case was ultimately dismissed by the Ninth Circuit on the statute of limitations, Ms. Boling received a Special Commendation from the Assistant Attorney General for the Civil Division for her work.

## EDUCATION

- Seattle University School of Law, J.D., *summa cum laude*, 2007  
Dean's Medal for class of 2007, Seattle University School of Law
- Stanford University, Bachelor of Arts in Cultural & Social Anthropology, 2002

## BAR ADMISSIONS

- Washington, 2007
- United States District Court for the Western District of Washington
- United States District Court for the Eastern District of Washington
- United States Court of Appeals for the Ninth Circuit
- United States Supreme Court

## PROFESSIONAL RECOGNITION

- *Super Lawyers*, "Rising Stars" (2014-2017)
- *Seattle Met Magazine*, Top Female Attorney in Washington (2014-2016)
- Special Commendation from Assistant Attorney General for the Civil Division, 2011

## PROFESSIONAL & CIVIC AFFILIATIONS

- American Bar Association
- Defense Research Institute
- King County Bar Association  
Appointed Member, Amicus Committee
- Mother Attorneys Mentoring Association of Seattle
- Northwest Insurance Coverage Association

- Puget Sound Adjusters Association
- Washington Defense Trial Lawyers
- Washington State Bar Association

#### PUBLICATIONS & PRESENTATIONS

Presenter, *Underinsured Motorist Claims as a template for the effective investigation of all kinds of property and casualty claims, whether first party or third party*, Puget Sound Adjusters Association (PSAA) 6th Annual Spring Symposium / Claims College (March 2017)

Presenter, *Propriety of Claim Professional Testimony*, NBI Uninsured/Underinsured Motorist Law: Advanced Practice Seminar (November 2016)

Presenter, *Data and Cyber Security for Lawyers & Law Firms*, East King County Bar Association Business Section (October 2016)

Presenter, *Claim File Discovery Issues*, WDTL Insurance Law Update Seminar (April 2016)

Co-author (along with Daniel L. Syhre and Mark Mills), *"Get To" Costs Correctly Understood*, In-House Defense Quarterly, 56 – 60 (Spring 2016).