



**Daniel L. Syhre**

Director

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#### PRACTICE AREAS:

Insurance Coverage, Insurance Litigation, Claim Advice, Coverage Analysis, Extracontractual Exposure Advice, Special Investigations Assistance & Fraud Reporting and Legislative Monitoring & Regulatory Analysis

#### OVERVIEW

Dan Syhre is a director with Betts Patterson Mines and practices insurance law, primarily representing insurance carriers in coverage and bad faith matters and advising insurers on coverage issues and claim resolution. Mr. Syhre also represents business clients in tort and intellectual property disputes. His previous experience includes practicing as a public defender in Pierce County, Washington.

#### REPRESENTATIVE CASES

- Successfully represented first party condominium insurer in coverage litigation establishing that condominiums that were still standing in 2012 could not have “collapsed” in 1998. *Queen Anne Park Homeowners Ass'n v. State Farm Fire & Cas. Co.*, 2012 WL 5456685, (W.D. Wash. 2012); *Queen Anne Park Homeowners Ass'n v. State Farm Fire & Cas. Co.*, 183 Wn.2d 485, 352 P.3d 790 (2015); *Queen Anne Park Homeowners Ass'n v. State Farm Fire & Cas. Ins. Co.*, 2016 WL 424736 (9th Cir. 2016).
- Successfully argued that the phrase “any action or omission” in a policy exclusion included the particular actions or omissions at issue by comparing opponents arguments to Sam-I-Am’s attempts to finding ambiguity in “I do not like green eggs and ham.” *Oregon Mut. Ins. Co. v. Rain City Pizza, L.L.C.*, 172 Wn. App. 1043, 10432013 WL 150173 (2013).
- Represented an insurance company in coverage and bad faith action brought by insured. Insured's restaurant burned down in an arson fire and commercial property insurer investigated and ultimately denied the claim. The insured sued for breach of contract, bad faith, and for liability under the Insurance Fair Conduct Act. After a trial, the jury returned a verdict in favor of the insurer.
- Represented insurance company in bad faith litigation over claim that delay in adjusting PIP claim resulted in the insured's neck surgery being delayed, which in turn caused partial paralysis. The federal district court ruled for the insurer on summary judgment, holding that the insurer properly and fairly handled the claim and did not cause injury to the insured. The Ninth Circuit later affirmed the summary judgment order.
- Represented insurance company in liability coverage and bad faith litigation. St. Paul's insured was sued in a class action for "fax blasting," or unlawful mass marketing by fax machine. The insured settled the class action for a judgment exceeding \$17 million and assigned its claims against the insurer to the plaintiff class. In the coverage litigation that followed, the federal court ruled that the insurer had no defense or coverage obligation for "fax blasting" and in answer to certified questions, the State Supreme court held that errors in claim handling in the

absence of a duty to defend could not render the insurer liable for the amount of the judgment. *St. Paul Fire and Marine Ins. Co. v. Onvia, Inc.*, 165 Wn.2d 122, 133, 196 P.3d 664 (2008)

- Represented an insurance company in coverage dispute. St. Paul's insured, a manufacturer, made an error in packaging materials it shipped to its customer, causing the materials to mold. The insured settled the matter quietly with its customer and told St. Paul about the claim many months after the fact, claiming over \$1 million in losses. The Washington Court of Appeals, in a published decision, held that St. Paul was relieved from any obligation to pay the claim because it was prejudiced by the insured providing late notice of the claim. *Key Tronic Corp. v. St. Paul Fire & Marine Ins. Co.*, 134 Wn.App. 303, 139 P.3d 383 (2006)

#### EDUCATION

Seattle University, J.D. *magna cum laude*, 2003

Lead Articles Editor, *Seattle University Law Review*

Recipient, CALI Award in Contracts

Teaching Assistant, Evidence and Constitutional Law

California State University, B.S., 1998

#### ADMISSIONS

Washington State Bar, 2003

United States District Court, Eastern and Western Districts of Washington

United States Court of Appeals, Ninth Circuit

#### PROFESSIONAL RECOGNITION

*Super Lawyers*, "Rising Stars" (2012-13)

*Super Lawyers*, "Super Lawyer" (2017-2021)

#### PROFESSIONAL & CIVIC AFFILIATIONS

Washington State Bar Association

King County Bar Association

Washington Defense Trial Lawyers Association

Northwest Insurance Coverage Association

#### PUBLICATIONS & PRESENTATIONS

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