



## FRANKLIN D. CORDELL

### PRACTICE AREAS

Insurance Recovery and Commercial Litigation

### PROFESSIONAL EXPERIENCE

Partner, Gordon Tilden Thomas & Cordell LLP, 2007 – Present

Partner, Gordon Murray Tilden, LLP, 1998 – 2007

Associate, Gordon Murray Tilden, LLP, 1996 – 1998

Associate (Insurance and Litigation Practice Groups), Covington & Burling, Washington, D.C., 1992 – 1996

Law Clerk to the Honorable H. Emory Widener, Jr., of the United States Court of Appeals for the Fourth Circuit, 1991 – 1992

### PROFESSIONAL RECOGNITION

“AV” rating by Martindale-Hubbell

Thompson-West Super Lawyer, Insurance Law, 2001 – Present

Top-100 Vote Recipient, Washington Super Lawyer Survey, 2009 – Present

Named as a “Rising Star” by Washington Law & Politics Magazine, 1999 and 2001

Listed in *The Best Lawyers in America*, Insurance Law

### EDUCATION

Washington & Lee University School of Law, J.D. *summa cum laude*, 1991

Senior Lead Articles Editor, Washington & Lee Law Review, 1990 – 1991

Order of the Coif, 1991

American Jurisprudence Awards, Nine Courses, 1989 – 1991

University of Virginia, B.A., 1988

### REPRESENTATIVE MATTERS

- Represented The Boeing Company as lead coverage counsel since late 1990s. Participated in recoveries of insurance proceeds in the hundreds of millions of dollars, under wide range of coverage lines.
- Represented Weyerhaeuser Company in multiple insurance claims and high-stakes coverage litigation, 1990s through the present.
- Appointed by the State of Washington as Special Assistant Attorney General, responsible for all insurance-coverage advice and litigation on behalf of the State, 2000 through 2013.
- Co-counsel to Gull Industries, Inc. in coverage litigation over environmental cleanup liabilities incurred at over 200 gasoline stations in the Pacific Northwest.



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- **Gull Industries, Inc. v. State Farm Fire & Cas. Co.**, 181 Wn. App. 463 (2014). Lead counsel in appeal establishing favorable “suit” standard.
- **Planet Earth Foundation v. Gulf Underwriters Ins. Co.**, 2005 Wash. App. LEXIS 3093 (Dec. 5, 2005). Represented policyholder in coverage dispute raising novel issues under “professional services” exclusion. Successfully sought discretionary review by Washington Supreme Court of lower-court rulings for insurer. Case settled after February 2009 oral argument before the Washington Supreme Court.
- Lead policyholder counsel in groundbreaking coverage litigation arising out of land-use dispute: In re **Feature Realty Litig.**, 468 F. Supp. 2d 1287 (2006); In re **Feature Realty Litig.**, 2007 U.S. Dist. LEXIS 34352 (E.D. Wa. May 10, 2007); In re **Feature Realty Litig.**, 2007 U.S. Dist. LEXIS 53702 (E.D. Wa. July 25, 2007); and In re **Consolidated Feature Realty Litig.**, 2008 U.S. Dist. LEXIS 5505 (E.D. Wa. Jan. 25, 2008).
- **Virginia Mason Med. Ctr. v. Executive Risk Indem., Inc.**, 2007 U.S. Dist. LEXIS 85724 (W.D. Wa. Nov. 14, 2007), aff’d, 2009 U.S. App. LEXIS 11242 (9th Cir. May 7, 2009).
- **S&K Motors, Inc. v. Harco National Ins. Co.**, 151 Wn. App. 633 (2009).
- **Weyerhaeuser Co. v. Fireman’s Fund Ins. Co.**, 2007 U.S. Dist. LEXIS 92521 (W.D. Wa. Dec. 16, 2007).
- **Cadet Mfg. Co. v. American Ins. Co.**, 2006 U.S. Dist. LEXIS 22625 (W.D. Wa. March 30, 2006).
- **Bada Restaurants, Inc. v. Hentschell & Assocs.**, 2004 Wash. App. LEXIS 286 (March 1, 2004).
- **Voicestream Wireless Corp. v. Federal Ins. Co.**, U.S. App. LEXIS 19381 (9th Cir. May 7, 2004).
- **Puget Sound Energy, Inc. v. Alba Gen. Ins. Co.**, 149 Wn.2d 135 (2003).
- **Costco Wholesale Corp. v. Commonwealth Ins. Co.**, 2002 U.S. App. LEXIS 17395 (9th Cir. Aug. 9, 2002).

## REPRESENTATIVE CLIENTS

The Boeing Company; State of Washington; Weyerhaeuser Company; Simpson Timber Company; City of Seattle; City of Bellevue; Costco Wholesale Corporation; Virginia Mason Medical Center; Cadet Manufacturing Company; Puget Sound Energy, Inc.; Darigold, Inc.; Gull Industries, Inc.; Ocean Beauty Seafoods LLC

## PRESENTATIONS AND PUBLICATIONS

Editor, Washington Insurance Litigation Practice Guide (forthcoming from Lexis-Nexis)  
Author, Chapter 20, “Conditions and Insured’s Duties,” in *New Appleman on Insurance Law*  
– Library Edition, 2013



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- Co-Author, with Christie L. Snyder, of Chapter 9, “*Determining the Duties of the Policyholder*,” in *Appleman Insurance Law and Practice Guide*, 2007
- Co-Chair, *All Sums, Reallocation & Settlement Credits*, October 21, 2009, Philadelphia, Pennsylvania
- Co-Chair, *Mealey’s Insurance: All Sums Versus Pro-Rata Allocation, Methods of Exhaustion, Reallocation and Settlement Credits*, October 15, 2007, Washington, D.C.
- Co-Chair, Program Committee and Program Author, *The Mock Trial as Settlement Device and Trial-Preparation Tool*, ABA Section of Litigation Annual Meeting, April 1998, and ABA Section of Litigation, *Insurance Coverage Litigation Committee Mid-Year Meeting*, February 1998
- Speaker, *Insurance Bad Faith Claims in Washington*, Lorman Education Services, December 10, 2009, Seattle, Washington
- Speaker, *Real-Life Resolution Strategies of Bad Faith Claims*, National Business Institute, August 13, 2009, Seattle, Washington
- Speaker, *Bridging the Gap*, Washington State Bar Association, April 10, 2009, Seattle, Washington
- Speaker, *Insurance Bad Faith Claims in Washington*, Lorman Education Services, July 22, 2008, Seattle, Washington
- Speaker, *Bridging the Gap 2008*, Washington State Bar Association, May 2, 2008, Seattle, Washington
- Speaker, *Insurance Bad Faith Claims*, Lorman Education Services, July 19, 2007, Seattle, Washington
- Speaker, *Insurance Coverage Law*, National Business Institute, January 17, 2007, Seattle, Washington
- Speaker, *Contractual Risk-Transfer Mechanisms – A Primer and Selected Recurring Issues*, State of Washington Attorney General’s Office, December 7, 2006, Lacey, Washington
- Speaker, *Ethical Dilemmas for the Practicing Lawyer*, Washington State Bar Association, November 13, 2006, Seattle, Washington
- Speaker, *Insurance Bad Faith Claims in Washington*, Lorman Education Services, July 19, 2006, Seattle, Washington
- Speaker, *All Sums: Reallocation & Settlement Credits Conference*, Mealey’s, November 7, 2005, Boston, Massachusetts
- Faculty, *A Policyholder’s Perspective on Inter-Insurer Disputes*, American Bar Association Annual Meeting, August 6, 2005, Chicago, Illinois