



Kevin A. Rosenfield

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Kevin Rosenfield is a partner at Jackson Rosenfield LLP, where he focuses his practice on construction law, commercial litigation, and government contracts.

Kevin is a commercial litigator and trial lawyer with experience representing clients in a broad range of complex business and commercial disputes, including construction law, product liability, creditor rights litigation, employment law, intellectual property, government contracts, and various breach of contract actions and corporate disputes. Kevin has successfully handled a wide array of large-dollar commercial litigation, with particular emphasis on construction litigation and the counseling and dispute resolution arising from the award and performance of construction projects and government contracts. He represents clients in diverse industries from around the world (including the Far East, Australia, Latin America, and throughout the United States) on a broad range of litigation-related issues facing businesses today.

Prior to his work at Jackson Rosenfield, Kevin was an attorney in the Seattle offices of both K&L Gates and Ball Janik, where he focused on commercial litigation in both state and federal courts with an emphasis on construction law, product liability, intellectual property, and general commercial law. He utilized his construction and litigation experience in negotiating and drafting design and construction contracts as well as dispute resolution with both public and private clients. He has also represented numerous corporations in defense of various tort, contract, and product liability claims.

Kevin has experience handling all phases of litigation, from initiation through trial and appeal. He has successfully argued in both state and federal courts, and he has successfully handled arbitrations before the American Arbitration Association.

In addition to litigation, Kevin's practice also involves contract negotiation/preparation, general counseling, and claims avoidance. He has considerable experience drafting and revising contractual agreements on behalf of companies in a wide range of industries. Kevin also has considerable experience in areas of employment law and employee relations, advising and representing employers in issues such as the drafting and enforcement of confidentiality and non-solicitation provisions, severance agreements, and other employment-related agreements and disputes.

Kevin Rosenfield was recently selected to the Washington Super Lawyers list. This is an exclusive and prestigious list, recognizing no more than five percent of attorneys in the state.

Representative Matters

Procon-Fayz-VKS, JV v. Louis Berger Group/Black & Veatch JV, Case 50-20-1200-0679 (ICDR) (represented Afghan joint venture against prime contractor on USAID construction project in the Uruzgon province of Afghanistan, resulting in a settlement requiring multi-million dollar payment to client).

Star Technologies Corp. v. Andrews Space, Inc. (E.D. Virginia) (filed breach of

Education

J.D., Northwestern University School of Law, 2003

Associate Editor, Northwestern University Law Review

B.A., University of Michigan, with High Honors, 2000

Phi Beta Kappa

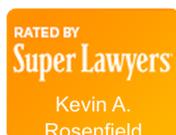
Admissions

Washington, Oregon

U. S. Courts of Appeals: Federal Circuit

U.S. District Court, Western District of Washington, Eastern District of Washington

Court of Federal Claims



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contract action against contractor awarded congressional funding for spacecraft development; settled prior to trial).

ERG Transit Systems, Inc. v. Clever Devices Ltd (W.D. Wash.) (filed breach of contract action concerning defective devices installed on King County Metro buses; settled prior to formal discovery).

Appeal of Atherton Construction, LLC (Armed Services Board of Contract Appeals) (obtained settlement in ASBCA appeal against United States Army Corps of Engineers regarding construction of housing units at Malmstrom Air Force Base).

Comark Building Solutions v. Alutiiq International Solutions (W. D. Wash) (defended general contractor in multi-million dollar litigation filed by subcontractor; prevailed following four-day arbitration).

Tacoma School District No. 10 v. Eastwood Environmental Inc (Pierce Co. Superior Ct.), (defended claims asserted by subcontractor against general contractor on school remodel project; settled during mediation).

Cowlitz County PUD v. Kiewit Pacific Co. (W.D. Wash.) (defended claims asserted by subcontractor against general contractor on hydroelectric power generation facility; settled during mediation).

HomeStreet Bank v. John Norris (King Co. Superior Ct) (obtained multi-million judgment in favor of lender against loan guarantor and handled subsequent appeal).

Biggs v. AstenJohnson, Inc., et al. (King Co. Superior Ct.) (secured dismissal of plaintiff's product liability claims against dryer felt manufacturer).

Valve Corp. v. Vivendi Universal Games, Inc. (W.D. Wash) (suit against software distributor for copyright infringement; settled prior to trial)

Southwestern Industrial Contractors v. Alutiiq International Solutions (W. D. Texas) (defended general contractor in Miller Act litigation; settled prior to trial).

Damron v. Garlock Sealing Technologies, LLC, (King Co. Superior Ct.) (secured dismissal of plaintiff's product liability claims against gasket manufacturer).

Nippo-IBC v. AMEC Environmental (E.D. Pa) (prosecuted claims by subcontractor against general contractor on project at Andersen Air Force Base in Guam; six-week bench trial).

Branscome v. Alutiiq International Solutions (E. D. Virginia) (defended general contractor in Miller Act litigation; settled at mediation).

Lee v. Lee (Grant County Sup Ct.) (suit to recover amounts misappropriated by business partner; prevailed following four-day arbitration)

Medical Consultants Network, LLC (GAO Bid Protest) (represented disappointed offeror in procurement to provide medical second opinion services, resulting in agency decision to cancel award and take corrective action).

Representative Publications

Co-Author, "Risk Allocation in Federal Construction: Reconciling the Miller Act and Contract Disputes Act With Subcontract Drafting and Administration, Construction Briefings, No. 2011-8 (2011)

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Co-Author, "Rethinking Abuse of Discretion Claims," Construction Briefings, No. 2006-07 (2006)

Author, "Subcontractor Disputes and Attorney Fee Clauses: Who is the Prevailing Party?", Government Contracts Newsletter, Ball Janik LLP (Spring 2011).

Author, "Dealing with Touhy: Compelling Non-Party Deposition Testimony from a Government Agent," Government Contracts Newsletter, Ball Janik LLP (Summer 2011).

Author, "Brown v. Armenti and the First Amendment Protection of Teachers and Professors in Grading Their Students," 97 Nw. U.L. Rev. 1471 (2003)