



# Eminent Domain Mock Trial

Thursday, September 28, 2017 • Red Lion Hotel Bellevue • Bellevue, WA

## Schedule

### *Morning*

Welcome

Mock Trial Overview

Agency Initial Offer Meeting

Property Owner Meeting with  
Experts & Attorneys

### *Afternoon*

Statement of Case

Voir Dire

Opening Statements

Petitioner's Case

Respondent's Case

Rebuttal Case

Jury Instructions

Closing Arguments

Jury Deliberations

Mock Trial Debrief

Wrap-Up & Conclusion

Through observation and hands-on participation, attendees will gain an insider's perspective on general court room procedure and substantive legal issues commonly raised in today's condemnation trials using real-world valuation problems. Serving as mock jurors, participants will gain a better understanding of the legal mechanism by which condemnation valuation disputes are presented, defended, and ultimately decided at trial.

Experienced eminent domain counsel, appraisers, and other right of way professionals will present this entertaining and educational trial drama of the local, but yet largely still unknown, Neighborhood Transit Agency (NTA). In connection with a larger NTA transportation project, NTA must acquire a portion of real property currently underutilized by its owner. The property that is the subject of the condemnation is also the beneficiary of a significant upzone by the town of Progression – the local permitting agency.

Follow along as NTA's right of way agent makes an offer that the property can refuse. Learn how lawyers on both sides of the valuation table work with their clients, appraisers and other real estate professionals in preparation for a condemnation trial, presenting the facts as they know them. Was the just compensation offer appropriate? Did the expert witnesses behave ethically? How will the judge handle pretrial motions to exclude certain valuation evidence? Is the property owner's testimony credible? Learn the answers to these questions and others as you ultimately help determine just compensation for the taking and damaging of the property by NTA.

### **Who Should Attend?**

Right-of-Way Agents • Appraisers • Public Works Directors • Project Managers  
Environmental Professionals • Cost Estimators • Surveyors • Government  
Officials • Engineers • Real Estate Professionals • Planners • Relocation  
Agents • Design Consultants • Attorneys and Judges

### **Questions?**

If you have questions about this seminar, please contact co-chair Leslie Beard at 360-870-0190 or lbeaird@tierra-row.com.

**Register  
Today!**

Online: <http://www.irwachapter4.org>

Email: [jesse.ray@contractlandstaff.com](mailto:jesse.ray@contractlandstaff.com)

Mail: Jesse Ray, 2800 156th Avenue SE, Suite 200, Bellevue, WA 98007

Phone: 425.372.7636

**Registration:** Please mail your registration with check or money order as soon as possible, as enrollment is limited. You may also register with a credit card online at <https://www.irwachapter4.org/>. Walk-in registrations will be accepted subject to space availability.

**Conference Fee:** The registration fee includes attendance for the full day. **General tuition is \$150 per person. If you are registered for the Region Forum, your Mock Trial cost is only \$90.** Please make checks payable to IRWA Chapter 4.

**Course Accreditation:** This course is approved by the International Right of Way Association for eight (8) hours of recertification credit.

**Substitution/Cancellation:** You may substitute with another person at any time. We will refund the seminar fee, less a \$50 cancellation charge, if we receive your cancellation by September 25, 2017. No refunds will be given after this date. *Please note that if you do not cancel by the deadline and/or do not attend, you are still responsible for your payment.*

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## Mock Trial Participants

**Leslie Beaird, SR/WA, R/W-RAC, Mock Trial Co-Chair**, is Manager of Right of Way Operations for Tierra Right of Way Services, Pacific Northwest branch. Leslie has been involved in right of way activities since 1998. She specializes in relocation assistance and is considered a subject matter expert. She serves as the leader of the IRWA's International Relocation Assistance Community of Practice, is a past president of IRWA Chapter 4, and was named Chapter Professional of the Year in 2014.

**Matthew Hansen, J.D., Mock Trial Co-Chair**, is a partner of Miller Nash Graham & Dunn LLP and team leader of the firm's Condemnation & Real Estate Valuation team. Matt counsels and represents both municipal agencies and private property owners in all aspects of eminent domain and general real estate litigation. He is an active trial attorney, representing and counseling clients in all aspects of real property litigation, commercial litigation, and commercial landlord-tenant law. Matt is a frequent speaker on legal issues involving eminent domain law and has served as author and editor for a number of state and national legal treatises. Matt is a past president of IRWA Chapter 4 and currently serves the Association as its vice-chair to the International Ethics Committee.

**Jeffrey Beaver, J.D.**, partner of Miller Nash Graham & Dunn LLP, focuses his practice on condemnation, financial institutions and commercial litigation. Jeffrey has represented clients in a variety of industries, including transportation, timberlands, financial services and manufacturing. He has successfully tried numerous multimillion dollar cases and has obtained favorable verdicts or settlements in some of our area's largest eminent domain cases.

**Dawn Fletcher** is a Right of Way Coordinator with the Washington State Department of Transportation Local Programs Office. With more than 28 years of public service, she has managed governmental real property transactions for three different Washington State agencies. After spending her early career managing natural resource properties, in 2005, Dawn elected to shift to the transportation sector, specializing in eminent domain acquisition, relocation, property management, and project management for right of way. Dawn is the president-elect of IRWA Chapter 4.

**Gregory Goodman, MAI**, is a principal and state certified general real estate appraiser at Valbridge | Allen Brackett Shedd. Greg has worked for ABS since February of 1999, earning his MAI designation in 2008. Appraisal experience includes a wide variety of appraisal assignments, including commercial, industrial and residential real estate, easements, condemnation, and sensitive properties.

**John Nidecker** is an MAI appraiser with Integra Realty Resources – Seattle. With over 15 years' experience appraising multiple property types ranging from agricultural/forestland, conservation easements, flood management, habitat and wetland preservation to commercial/

retail/industrial, as well as unique properties such as golf courses and gravel pits, he is now focused on Integra-Seattle's eminent domain/condemnation practice and is currently on the Board of the Seattle chapter of the International Right of Way Association. John Nidecker is the IRWA Chapter 4 Vice President

**Connor O'Brien, J.D.**, is an attorney on Miller Nash Graham & Dunn's litigation team. He focuses his practice on commercial litigation, representing business and government entities in a variety of matters. As part of his condemnation practice, Connor advises and represents municipal agencies and property owners regarding eminent domain law.

**Dee Oakland, SR/WA**, has been involved in the R/W profession for seventeen years and holds both appraisal and real estate licenses. Her agricultural background as a "North Dakota Farm Kid" has proven invaluable whether it be working on transportation, utility, or pipeline projects. As a contractor 2012 found her in Billings, MT, working for Phillips 66. Since then she has transitioned from a contractor to an employee, and she along with husband, Larry, now make Shepherd, MT their home. Dee is the IRWA Region 7 Chair.

**Michael Rabb** has over 13 years of experience in the real estate and legal professions. His expertise includes acquisition of fee and easements for transportation and corridor projects. He has represented municipalities in surplus property disposal and has experience reviewing title and clearing encumbrances. He has expedited development, zoning, and construction permits through various departmental entities, and prepared legal documents to include deeds and easements. He has participated in condemnation cases involving corridor projects, and has extensive negotiation and mediation experience. Michael is the IRWA Chapter 45 President

**Jesse Ray, RWA**, is a Senior Acquisition Agent for Contract Land Staff, LLC located in Bellevue Washington. Jesse has 5 years of right of way acquisition/negotiation experience, and has worked on transportation and infrastructure improvement projects across the State of Washington. Jesse graduated from the University of Washington in 2012 with a Bachelor's degree in Business Administration-Finance. Jesse also serves as the IRWA Chapter 4 Treasurer.

**Jackee Walker, J.D.**, is a member of Miller Nash Graham & Dunn's Condemnation, Real Estate, and Litigation teams. Her practice focuses on complex commercial and business litigation, including eminent domain, residential and commercial real estate, product liability, class action, and contract disputes. Her real property litigation practice includes representation of individuals and businesses regarding landlord-tenant issues, contract disputes, restrictive covenants, land use, zoning and boundary disputes.



# Eminent Domain Mock Trial Registration Form

Thursday, September 28, 2017

Please fill out the registration form and mail, fax, or email to Jesse Ray, IRWA Puget Sound Chapter Treasurer.

**Yes! Please register me/us for the following:**

Name: \_\_\_\_\_ M.I. \_\_\_\_\_ Last: \_\_\_\_\_

Firm/Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

**I will attend. Please register me:**

- General Tuition - \$150
- Region Forum Attendee - Trial Tuition - \$90

We encourage early registration. On-site registration is on a space-available basis.

## PAYMENT INFORMATION

- Check enclosed payable to IRWA Chapter 4
- Visa     Mastercard     AmEx

\_\_\_\_\_  
Card No.

\_\_\_\_\_  
Cardholder Name (print)                      Exp. Date

\_\_\_\_\_  
Authorized Signature

Registrations received less than 48 hours before a seminar are not guaranteed a coursebook or other presentation materials on-site.

### Register:

- Online: <http://www.irwachapter4.org>
- Email: [jesse.ray@contractlandstaff.com](mailto:jesse.ray@contractlandstaff.com)
- Mail: Jesse Ray, 2800 156th Avenue SE, Suite 200, Bellevue, WA 98007
- Phone: 425.372.7636

### Payment Policies

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