



## Matthew J. Segal

PARTNER

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### PRACTICE AREAS

Litigation  
Municipal Law  
Public Policy and Political Matters

Matt Segal is a Pacifica founding partner and former King County Superior Court judge. He has 25 years of experience in the courtroom.

Matt advises and represents public and private clients with an emphasis on the following areas:

- **Public Law Advice & Disputes.** From counseling and appearing on behalf of a wide range of municipal clients, to serving as a judicial officer, to guiding private clients engaged with the government, Matt's work in the law has always emphasized the public sphere. This includes assisting clients regarding constitutional issues (state and federal), taxation, government regulation, public records and open meetings, initiatives and referenda, public transit, government contracts, law enforcement/corrections, and healthcare.
- **Appeals.** Matt began his legal career serving as a law clerk for the Washington State Supreme Court. Thereafter, he focused his practice on all aspects of appeals in state and federal courts, representing parties as well as amicus. Appeals argued ranged from complex public policy cases (such as the constitutionality of Initiative 976) to review of lengthy trials to resolution of procedural issues. (See the below list of representative matters for specific examples of reported decisions.) As a judge, Matt also decided appeals from state district court, administrative bodies, and government agencies. Matt's appellate, trial, and judicial experience enable him to provide unique insights into prosecuting and defending appeals.
- **Ethics & Investigations.** Matt's practice also includes an emphasis on public ethics. This has encompassed analyzing or representing parties regarding ethical issues or disputes, conducting internal or public investigations and crafting reports, drafting codes and policies, and submitting policy papers or amicus briefs.
- **Trial and Appellate Consulting.** Trying a case or prosecuting or defending an appeal carry unique risks, expenses, and strategic considerations. Trials and appeals also require skilled and informed preparation. Matt will review and evaluate your case to discuss strengths, weaknesses, and approach. Matt will also conduct preparation sessions and moot courts or mock arguments.
- **Alternative Dispute Resolution.** Matt's primary responsibility on the bench was trying cases. As a lawyer and judge he has presided over or participated in a significant range of civil and criminal trials. He has served as appellate counsel on many additional cases, both interlocutory and post-trial. Matt will carefully assess a dispute and help the parties resolve it through mediation or a settlement conference. Matt's

objective is to work with the parties to craft creative solutions that may not be available in court, as well as to provide the parties and their counsel with a candid evaluation of their case. Matt will also preside as an arbitrator. Areas where Matt brings particular experience to bear include municipal and constitutional law, corrections and law enforcement, appeals, insurance, commercial disputes, torts and personal injury, employment and trade secrets, real property, and trusts and estates. Matt is also committed to helping parties resolve disputes when they cannot afford to retain a private mediator. If you believe you have a dispute that qualifies for pro bono mediation or settlement services under the WSBA criteria, please [contact our ADR coordinator Dawn Taylor](#).

- **Discovery Master.** Matt oversaw hundreds of civil matters during his time on the bench, regularly ruling on discovery motions, presiding over discovery hearings, brokering informal discovery solutions, and conducting in camera review. Additionally, Matt has more than 20 years of experience handling litigation matters across the country in state and federal court that involved complex formal and informal discovery. This includes a separate focus on public records, where he has represented requesters, public entities, and third parties seeking relief. Matt believes in finding efficient and effective solutions to discovery disputes, but also understands that sometimes the parties need a ruling to resolve difficult questions.
- **Insurance.** Matt began reviewing and analyzing insurance policies and coverage more than 25 years ago. His experience includes presiding over insurance disputes as a judge, evaluating complex insurance issues for insureds and insurers, as well as arbitrating and mediating international coverage disputes. Specific issues addressed include general liability, environmental liability, London Market policies and coverage, property and all-risk coverage, title insurance, crime coverage, reinsurance, public insurance pools and risk associations, self-insurance, bad faith and extra-contractual liability, intra-carrier disputes and apportionment, excess coverage, marine coverage, intellectual property coverage, public health and Medicaid, managed care, historical coverage investigations, brokerage and placement, and insurance regulation.

As a judge, Matt presided over jury and bench trials including criminal, civil, and family law. Trials encompassed topics such as commercial disputes, insurance, trusts and estates, real property, employment, personal injury and wrongful death, and professional malpractice. Matt was also responsible for an extensive ongoing civil docket, and assignments including criminal motions and post-conviction proceedings, ex parte, plea court, anti-harassment calendars, and appeals from administrative bodies or courts of limited jurisdiction.

As a lawyer, Matt has appeared in courts across the country, including the United States Courts of Appeals for the Fourth, Fifth, Ninth and D.C. Circuits, the Washington Supreme Court, all three divisions of the Washington Court of Appeals, and the United States District Courts for the Western District of Washington and Eastern District of Washington, District of D.C., Southern District of California, Southern District of Texas, and District of Maine. Matt has also represented parties in international disputes including in the UK, Canada and the South Pacific.

Prior to co-founding Pacifica Law Group, Matt was a partner at the law firm of K&L Gates, and an associate at its predecessor firm Preston Gates & Ellis. During his time at the Preston firm, Matt undertook a trial fellowship with the King County Prosecutor's Office, where he tried felony criminal cases. Before entering private practice, Matt served as a judicial clerk for Justice Charles W. Johnson of the Washington State Supreme Court, and an extern for the Pierce County Department of Assigned Counsel. Matt began his legal career as a law clerk for Rush, Hannula, Harkins & Kyler in Tacoma, Wash.

Matt served on the Board of Directors of the ACLU of Washington and the Seattle Opera and is currently on the Opera's Advisory Board. He has been repeatedly commended by the Washington State Bar Association for his pro bono legal work. Matt has also served as an adjunct professor at Seattle University School of Law.

Before he became a lawyer, Matt worked as a print and broadcast journalist. He was news director of KALX 90.7FM Berkeley, and contributed to media organizations including the Associated Press, A.P. Network News, ABC News, the Alaska Public Radio Network and Pacific Islands Monthly in Fiji.

**Bar Admissions:**

- Washington
- Oregon

**Education:**

- University of California, Berkeley, B.A., History
- Seattle University School of Law, J.D. *summa cum laude* (Presidential Law Scholar and Lead Article Editor for the Seattle University Law Review)

**Honors:**

- Washington Association of Municipal Attorneys, Special Commendation for Pro Bono Service, 2021
- International Municipal Lawyers Association, Amicus Service Award, 2020; 2021
- Selected for inclusion in *The Best Lawyers in America*® in the fields of Appellate Law and Municipal Law (Copyright by Woodward/White, Inc., of Aiken, SC), 2013-2021
- Selected for *Washington Super Lawyers*, 2011-2021
- Selected for *Washington Rising Stars*, 2004-2009
- Preston Gates & Ellis Jim Ellis Award for service as an ACLU Cooperating Attorney
- Greater Seattle Business Association's Special Recognition Award Collaboration for Social Change

**Speaking Engagements & Presentations:**

- Public Records Act Update, WSAMA Spring Conference, 2021
- The Pandemic & Public Records, WAPRO Spring Training, 2021
- Emergency Powers, WSAMA Fall Conference 2020
- Expressive Conduct, WSAMA Fall Conference, 2019
- #PRA and Open Meetings Don't Always Happen IRL, WAPRO Spring Training, 2019
- Electronic Records, WAPRO Spring Training, 2018
- That's the Ticket: Navigating Gifting of Public Funds and Lending of Credit, WSAMA Fall Conference, 2017 (and accompanying article)
- Sharing the Road with Uber and Lyft, WSAMA Spring Conference, 2017
- Public Records Act Policies in the Digital Age, WSAMA Spring Conference, 2017
- E-discovery, Metadata, and Public Records, WAPRO Spring Training, 2016
- From Bruce to Baristas: "One Man's Vulgarity is Another's Lyric....", WSAMA Fall Conference, 2014
- How Penalties and Fees Tie to Agency Best Practices, WSBA: The State of the Public Records Act in 2014 and Beyond, 2014 (and contributing author to Deskbook)
- Public Records Act, COSA Fall Workshop, 2014
- Record Searches and Metadata: Learning from Civil Discovery, WAPRO Spring Training, 2013
- Regulating Advertising in Public Spaces and Other Open Public Forum Issues, WSAMA Fall Conference, 2013

- Update on Public Records Including Proactive Litigation: Prisoner Injunctions, WSAMA Spring Conference, 2012
- Balancing Campaign Regulations and Free Expression, WASBO Conference, 2012
- Trying the Takings Case/The Trial Before the Trial – The Practicalities of Effective Case Preparation and Strategy Before Filing and Hearing, Regulatory Takings Seminar, 2012
- Applying the Latest Legal Authority in Your Production of Electronic Records, WAPRO Spring Training, 2011
- Electronic Records: A Meta Philosophy of Metadata, WAPRO Fall Conference, 2011
- Public Records: Practical Issues Managing Social Media, WSAMA Fall Conference, 2010
- The Public Utility of Social Media: Using the Tools and Knowing the Rules, Washington Public Utility Districts Association, 2010
- Applying PDC Guidelines to Social Media, Social Media Workshop for Schools, 2010
- Preservation of Electronic Public Records: What is Required and How to Comply, WSAMA Fall Conference, 2009
- Legal Implications of RIF (Regional Institutional Framework), Governing Council of South Pacific Applied Geoscience Commission, Port Vila, Vanuatu, 2009
- Religious Land Use Issues in Washington State, WSAMA Fall Conference, 2008
- Washington's Public Records Act, WSAMA Spring Conference, 2007
- Northwest Public Records Statutes, PNRC-NAHRO Annual Conference, 2006

#### **Representative Matters:**

- *Washington State Ass'n of Mun. Attorneys v. Washington Coal. for Open Gov't*, No. 80266-6-I, 15 Wn. App. 2d 1050, 2020 WL 7342171 (Wash. Ct. App. Dec. 14, 2020), review denied, 197 Wn.2d 1008 (2021)
- *Clark Cnty. v. Portland Vancouver Junction R.R., LLC*, 17 Wn. App. 2d 289, 485 P.3d 985 (2021)
- *Garfield Cty. Transportation Auth. v. State*, 196 Wn.2d 378, 473 P.3d 1205 (2020)
- *Black v. Cent. Puget Sound Reg'l Transit Auth.*, 195 Wn.2d 198, 457 P.3d 453 (2020)
- *Temple v. Clark Cty.*, No. 20-CV-5034-RJB-JRC, 2020 WL 2708830 (W.D. Wash. Apr. 22, 2020)
- *Costco Wholesale Corp. v. Arrowood Indem. Co.*, No. 2:17-CV-01212-SAB, 2020 WL 5701826 (W.D. Wash. Sept. 24, 2020)
- *Colvin v. Inslee*, 195 Wn.2d 879, 467 P.3d 953 (2020) (amicus)
- *King Cty. v. King Cty. Water Districts* Nos. 20, 45, 49, 90, 111, 119, 125, 194 Wn.2d 830, 453 P.3d 681 (2019)
- *Willis v. City of Seattle*, 943 F.3d 882 (9<sup>th</sup> Cir. 2019)
- *Edge v. City of Everett*, 929 F.3d 657 (9<sup>th</sup> Cir. 2019)
- *Costco Wholesale Corp. v. Arrowood Indem. Co.*, 387 F. Supp. 3d 1165 (W.D. Wash. 2019), reconsideration denied, No. C17-1212RSL, 2019 WL 1979289 (W.D. Wash. May 3, 2019)
- *Kaseburg v. Port of Seattle et al.*, 744 F. App'x 356 (9<sup>th</sup> Cir. 2018), cert. denied, 139 S. Ct. 1546, 203 L. Ed. 2d 712 (2019)
- *Lyft, Inc. v. City of Seattle*, 190 Wn.2d 769, 418 P.3d 102 (2018)
- *Temple B'Nai Torah v. City of Bellevue*, No. C05-1921JCC (W.D. Wash. 2005-2018) (resolution of constitutional religion claims and consent decree)

- *Chamber of Commerce of the United States of Am. v. City of Seattle*, 890 F.3d 769 (9<sup>th</sup> Cir. 2018) (amicus)
- *Soundbuilt Nw., LLC v. Commonwealth Land Title Ins. Co.*, 200 Wn. App. 1030 (2017) (affirmed jury verdict)
- *Hooper v. City of Seattle*, No. C17-77RSM, 2017 WL 4410029, at \*1 (W.D. Wash. Oct. 4, 2017) (denial of preliminary injunction)
- *Binschus v. State*, 186 Wn. 2d 573, 380 P.3d 468 (2016) (amicus)
- *Milgard Mfg., Inc. v. Liberty Mut. Ins. Co.*, 107 F. Supp. 3d 1171 (W.D. Wash. 2015), order amended on reconsideration, No. C13-6024 BHS, 2015 WL 4898902 (W.D. Wash. Aug. 17, 2015)
- *Davis v. Cox*, 183 Wn. 2d 269, 351 P.3d 862 (2015) (amicus)
- *Sargent v. Seattle Police Dep't*, 179 Wn.2d 376, 314 P.3d 1093 (2013)
- *Freeman v. State*, 178 Wn.2d 387, 309 P.3d 437 (2013)
- *Commonwealth Land Title Ins. Co. v. Soundbuilt Nw. LLC*, 175 Wn. App. 1004 (2013)
- *PacifiCorp v. Nw. Pipeline GP*, 879 F. Supp. 2d 1171 (D. Or. 2012)
- *Central Puget Sound Regional Transit Authority v. Level 3 Communications, LLC*, 2012 WL 1574305 (9<sup>th</sup> Cir. 2012)
- *Parisi et al. v. Sinclair et al.*, 774 F. Supp. 2d 310 (D.D.C. 2011) (summary judgment in favor of Amazon.com in libel action), appeal dismissed, 2012 WL 3068437 (D.C. Cir. 2012)
- *Chicago Title Ins. Co. v. Washington State Office of Ins. Com'r*, 166 Wn. App. 844, 271 P.3d 373 (2012), on review, 178 Wn.2d 120, 309 P.3d 372 (2013)
- *Freeman v. Gregoire*, 171 Wn.2d 316, 256 P.3d 264 (2011) (dismissal of original writ proceeding in Washington Supreme Court in favor of Sound Transit)
- *Milgard Mfg., Inc. v. Illinois Union Ins. Co.*, 2011 WL 3298912 (W.D. Wash. 2011)
- *Eastwood Enterprises, Inc. v. Tacoma School Dist. No. 10*, 2011 WL 2565255 (Wash. App. 2011) (obtained reversal of fee awards against the District, and denial of subsequent petition for review)
- *State v. Fry*, 168 Wn.2d 1, 228 P.2d 1 (2010) (amicus)
- *Sanders v. State*, 169 Wn.2d, 240 P.3d 120 (2010)
- *Pande Cameron & Co. of Seattle, Inc. v. Central Puget Sound Regional Transit Authority & City of Seattle*, 610 F. Supp. 2d. 1288 (W.D. Wash. 2009), *aff'd*, 376 F. Appx. 672 (9<sup>th</sup> Cir. 2010)
- *Coulter v. AstenJohnson, Inc.*, 155 Wn. App. 1, 230 P. 3d 169 (2010)
- *United States v. Manning*, 434 F. Supp. 2d 988 (E.D. Wash. 2006), *aff'd*, 527 F.3d 828 (9<sup>th</sup> Cir. 2008) (constitutionality of Washington Initiative 297)
- *Gearin v. Jones*, 2008 WL 4060945 (Wash. App. 2008)
- *City of Bellevue v. Parmelee*, No. 08-2-30056-1SEA, (K.C. Super. Ct., 2008-2009) (public records and constitutional claims)
- *Washington Rule of Law Project v. McKenna* (Wash. 2007)
- *Pierce County v. State II*, 159 Wn.2d 16, 148 P.3d 1002 (2006)
- *In re Disciplinary Proceeding Against Sanders*, 159 Wn.2d 517, 145 P.3d 1208 (2006) (amicus)
- *Coulter v. AstenJohnson, Inc.*, 135 Wn. App. 613, 146 P. 3d 444 (2006)
- *Sheehan v. Central Puget Sound Regional Transit Authority et al.*, 155 Wn.2d 790, 123 P.3d 88 (2005)
- *United States v. Hoffman*, 154 Wn.2d 730, 116 P.3d 999 (2005)
- *Washington State Farm Bureau Fed'n v. Reed*, 154 Wn.2d 668, 115 P.3d 301 (2005)

- *Hansen v. Knoll* (Wash. App. 2005) (appeal settled post argument)
- *Kirlan Venture Capital, Inc. v. Regis* (Wash. App. 2005) (represented trial counsel in appeal of sanction award; appeal settled post briefing)
- *In re Marriage of Benson*, 2005 WL 2417631 (Wash. App. 2005)
- *Hangartner v. City of Seattle*, 151 Wn.2d 439, 90 P.3d 26 (2004)
- *Grant County Fire Protection Dist. No. 5 v. City of Moses Lake*, 150 Wn.2d 791, 83 P.3d 419 (2004)
- *Gontmakher v. City of Bellevue*, 120 Wn. App. 365, 85 P.3d 926 (2004)
- *Housing Authority of City of Pasco and Franklin County v. City of Pasco*, 120 Wn. App. 839, 86 P.3d 1217 (2004) (amicus)
- *Reliance Ins. Co. v. Plum Creek Timber Co., L.P.*, 2004 WL 838634 (Del. Super.)
- *Pierce County v. State*, 150 Wn.2d 422, 78 P.3d 640 (2003)
- *Davis v. Microsoft Corp.*, 149 Wn.2d 521, 70 P.3d 126 (2003)