



**BULLIVANT
HOUSER**



LOREN D. PODWILL

Firm President

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Loren is a nationally-recognized trial attorney with a business and accounting background that offers an advantage when representing clients in tough financial disputes. With decades of experience successfully resolving conflict through mediation, arbitration and trial, his focus is on helping clients make the best possible business decision going forward. He was in business before becoming an attorney and is a problem solver who looks at issues from a pragmatic standpoint.

Business and operational experience

Loren has served as firm President since 2014 and prior to that served as a member of the firm's Board of Directors. Loren continues to actively practice law and represent clients in addition to his duties as firm President. Loren is in line to serve as Chair of the ABA Tort Trial and Insurance Practice Section (TIPS) for the 2023-2024 bar year.

Fidelity and surety practice

Loren serves as Bullivant's Fidelity and Surety Practice Group Leader. He brings practical business sense to his surety work and works closely with claims professionals to resolve performance and payment bond claims and indemnity recovery. Loren also has extensive experience representing insurers with respect to fidelity, financial institution bond, lender liability, crime, cyber, D&O, and E&O claims.

With a deep understanding of the banking system, Loren has handled numerous coverage cases involving failed banks around the country and has litigated extensively with the FDIC.

Types of claims and disputes

- Surety, fidelity, cyber, financial institution bonds (FIB), directors and officers (D&O), errors and omissions (E&O), and lender liability claims
- State and federal Miller Act claims and Dispute Act claims in the United States Court of Federal Claims
- Commercial litigation that includes breach of contract, securities, and construction
- Intellectual property litigation, including copyright and trade secret cases with an emphasis on copyrighted music and departing employees
- Loren serves as outside general counsel for a private university in Washington and regularly advises on employment, contract, disciplinary, and regulatory issues.

Because he cares about getting the best result for his clients, Loren's approach is to be more objective in understanding and evaluating the other side. He's transparent with clients and tells them what they need to hear, whether good or bad, anticipates their needs, and presents recommendations upfront with a path to resolution. Loren prides himself in responsive, timely, and clear communications with clients. As Firm President, Loren understands the importance of clear, decisive, and timely business decisions and the need to eliminate last-minute surprises and delayed communications.

PRACTICE AREAS

Commercial Litigation
Construction
COVID-19 Response
D&O Liability
Fidelity & Surety
Insurance Coverage
Intellectual Property
Professional Liability

EDUCATION

- Willamette University, College of Law - J.D., cum laude, 1984
- Colorado State University - B.S., Business Administration (Accounting), 1979

BAR ADMISSIONS

- Oregon, 1984
- Washington, 1984

COURT ADMISSIONS

- U.S. Court of Federal Claims
- U.S. Court of Appeals, Ninth Circuit
- U.S. District Court, District of Oregon
- U.S. District Court, Eastern District of Washington
- U.S. District Court, Western District of Washington

PROFESSIONAL AND CIVIC INVOLVEMENT

Professional

- American Bar Association, Tort Trial and Insurance Practice Section: Section Vice Chair 2020-2022 (will serve as Section Chair 2023-2024); Revenue Officer 2017-2020; Financial Officer 2014-2017; Council Member 2011-2014; Vice Chair Business Litigation Committee, Fidelity & Surety Law Committee, and Law in Public Service Committee
- Gus J. Solomon American Inn of Court (Member) (President, 2009-2010; Secretary & Treasurer, 1995-2009)
- Multnomah Bar Association (Member)
- Oregon Business Association (Director, 2000-2011)
- Oregon State Bar (Chair, Business Litigation Section, 2003; Member, Board of Bar Examiners, 1994-1997)
- Western States Surety Conference (Co-Sponsor & Speaker, 1994-Present)

Volunteer Work (partial list)

- American Bar Association Financial Literacy Project
- American Bar Association Project Outreach (Nationwide High School Peer Mediation Program)
- American Bar Association Domestic Violence Project
- Oregon State Bar Association Senior Law Project
- Global Vision (Community Advisory Group)
- Community Vision, Inc. (Member, Seven Corners Community Collaborative Capital Campaign Committee)

AWARDS AND HONORS

- AV® Preeminent™, Peer Review Rated by Martindale-Hubbell
- Selected for inclusion in Oregon Super Lawyers (2006-2022) – Business Litigation)
- Selected for inclusion in The Best Lawyers in America© (2009-2022) – Commercial Litigation; Government Relations Practice; Litigation – Banking & Finance; Litigation – Construction; Named the Best Lawyers® 2013 Portland-OR Litigation – Banking & Finance “Lawyer of the Year”
- Named as a “Local Litigation Star” by Benchmark Litigation (2018, 2017, 2016 & 2015 – General Commercial; Insurance; Professional Liability)

PUBLICATIONS AND PRESENTATIONS

- Co-Speaker & Author, “Can Claims Handlers be Subject to Personal Bad Faith Liability in Washington and Other Western States,” Western States Surety Conference (2021).
- Co-Speaker, “Return to Work: Employee Reintegration After COVID-19,” American Bar Association Tort Trial & Insurance Practice Section (TIPS) Webinar, May 2020
- Co-Speaker & Author, “King County v. Travelers, et al. – A Site Visit to the Washington Supreme Court,” Western States Surety Conference (2017)
- Co-Speaker & Author, “Change is in the Air: Recent Changes in the Federal Rules of Civil Procedure,” Western States Surety Conference (2016)
- Co-Speaker, “Surety Bad Faith: A Pre-Flight Safety Briefing,” Western States Surety Conference (2015)
- Co-Speaker & Author, “Cyberwar, Hacks and Heartbleed: Introduction to Loss Recovery and Insurance Coverage Issues For Data Breaches,” Western States Surety Conference (2014)
- Co-Speaker, “Introduction to Extra-Contractual Insurance Claims in Washington State,” Western States Surety Conference (2013)
- Moderator, “The Bare Essentials: The ABC’s of Payment Bond Claim Handling,” Western States Surety Conference (2012)
- Speaker, “The Law of Payment Bonds,” American Bar Association (ABA) Tort Trial and Insurance Practice Section (TIPS) Fidelity & Surety Fall Meeting (2011)
- Chapter Author, “Introduction To Payment Bonds,” American Bar Association, Tort Trial and Insurance Practice Section (TIPS), The Law of Payment Bonds, 2nd Ed. (2011)
- Co-Speaker, “Washington’s ‘Insurance Fair Conduct Act’—A Potential Landmine for the Unwary,” Western States Surety Conference (2011)
- Co-Speaker, “Dancing With the ‘Solvent Principal’: the Good, the Bad and the Ugly,” Western States Surety Conference (2007)
- Chapter Author, “Performance Bond Manual (Oregon Chapter),” American Bar Association (ABA) Tort Trial and Insurance Practice Section (TIPS) (2006)
- Co-Speaker, “Contract Notice, Protest, and Formal Claims Procedures: A Potential Trap for the Unwary!” Western States Surety Conference (2006)
- Co-Speaker, “Tag, You’re It! Can the Surety Shift the Loss or Enhance Recovery by Accessing the Principal’s Insurance?” Western States Surety Conference (2005)
- Co-Speaker, “Fidelity Bonds: An Overview for Surety Law Practitioners,” Western States Surety Conference (2004)

- Co-Speaker, “Mold Claims: Are Sureties at Risk?” Western States Surety Conference (2003)
- Co-Speaker, “The False Claims Act: What is a ‘Claim’?” Western States Surety Conference (2002)
- Co-Speaker, “Sureties & Indemnity Agreements: Three Variations on a Theme,” Western States Surety Conference (2001)
- Co-Speaker, “Watch Out for that Left Hook: The Bankruptcy Trustee, Preference Transactions, and the Risk to the Surety,” Western States Surety Conference (2000)
- Co-Speaker, “Sun City: One Unhappy Owner,” Western States Surety Conference (1999)
- Co-Speaker, “Handling Payment Bond Claims,” Western States Surety Conference (1998)
- Co-Speaker, “Read My Lips: Surety Stop Payment Notices,” Western States Surety Conference (1996)
- Chapter Author, “Summary Judgment,” Oregon State Bar (OSB), Federal Civil Litigation (1994 & 1998; 2002 & 1998 Supplement)
- Chapter Author, “Scope of Payment Bond Surety’s Obligation,” American Bar Association (ABA) Tort Trial and Insurance Practice Section (TIPS), The Law of Payment Bonds (1998)
- Author & Speaker, “Civil Motion Practice in Oregon” (1995 & 1993)
- Co-Speaker, “Who Certifies the Government Claim: Principal or Surety?” Western States Surety Conference (1994)
- Alaska Chapter Author, “Fifty State Construction Lien & Bond Law,” Wiley Law Publications (1992; 1994 Supplement)