



KELBY D. FLETCHER

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PRACTICE OVERVIEW:

Kelby's practice concentrates on litigation and negotiation of employment issues. With over 25 years of experience in counseling individuals and employers and negotiation and litigation in state and federal courts, he has a well-developed understanding of problem solving in the ever evolving law concerning private sector employment relationships. He is an experienced arbitrator and mediator.

PRACTICE AREAS:

Employment
Tort (Plaintiff)

EDUCATION:

Northwestern University School of Law, J.D. (1974)
The American University School of International Service, B.A. (1971)

ADMITTED TO PRACTICE:

Washington (1974)
U.S. District Courts for the Eastern and Western Districts of Washington (1974)
U.S. Court of Appeals for the Ninth Circuit (1976)
U.S. Court of Federal Claims (2008)

REPRESENTATIVE WORK:

Counsel of Record

Moore v. Blue Frog Mobile, ___ Wn. App. ___, 221 P.3d 913 (2009)
Doe v. The Boeing Co., 64 Wn. App. 235, 823 P.2d 1159 (1992), *rev'd*, 121 Wn.2d 8, 846 P.2d 531 (1993)
Selberg v. United Pacific Insurance Co., 45 Wn. App. 469, 726 P.2d 468, *rev. denied*, 107 Wn.2d 1017 (1986)
Adams v. University of Washington, 106 Wn.2d 312, 722 P.2d 74 (1986)
Mele v. Turner, 106 Wn.2d 73, 720 P.2d 787 (1986)

Counsel for Amicus

Briggs v. Nova Services, 166 Wn.2d 794, 213 P.3d 910 (2009)
Brundridge v. Fluor Federal Services, Inc., 164 Wn.2d 432, 191 P.3d 910 (2009)

Stokes Lawrence, P.S.

Panag v. Farmers Insurance Co., 166 Wn.2d 27, 204 P.3d 885 (2009)

Miller v. Campbell, 164 Wn.2d 529, 192 P.3d 352 (2008)

Doe v. Corporation of the Church of Latter Day Saints, 141 Wn. App. 407, 167 P.3d 1193 (2007), *rev. denied*, 164 Wn.2d 1009 (2008)

Dix v. ICT Group, 160 Wn.2d 826, 161 P.3d 1016 (2007)

DePhillips v. Zolt Const. Co., 136 Wn.2d 26, 959 P.2d 1104 (1998)

Goodman v. The Boeing Co., 75 Wn. App. 60, 877 P.2d 703 (1994), *aff'd*, 127 Wn.2d 401, 899 P.2d 1265 (1995)

Kastanis v. Educational Employees Credit Union, 122 Wn.2d 483, 865 P.2d 507 (1993)

Gaglidari v. Denny's Restaurants, 117 Wn.2d 426, 815 P.2d 1362 (1991)

PROFESSIONAL & COMMUNITY ACTIVITIES:

Hearing Officer for Lawyer Discipline, Washington State Bar Association

Chair, Amicus Committee, Washington State Association for Justice Foundation

Member, Board of Directors, Therapeutic Health Services

Member, Executive Committee of Labor and Employment Law Section, WSBA (2007-2009); Chair (2009)

Member, Board of Trustees, Seattle-King County Bar Association (SKCBA) Young Lawyer Section (1981-1984); Treasurer (1982-1983)

Treasurer, Seattle-King County Bar Association (SKCBA) (1989-1991); Chair, Publications Committee (1985-1987)

Bar Examiner, Washington State Bar Association (1980-1991)

Member, Ninth Circuit Committee to Study the Evaluation of Lawyers (1981-1983)

Lawyer Representative from W.D.WA. to Ninth Circuit Judicial Conference (2003-2005) (appointed by District Judges of W.D.WA)

Member, Civil Justice Reform Act Committee, United States District Court Western District of Washington (1991-1995)

Hearing Examiner Pro Tempore, City of Seattle (1979-1990); City of Bellevue (1989-1995)

RECENT PUBLICATIONS & SPEAKING ENGAGEMENTS:

More than fifty presentations to legal education seminars sponsored by WSTLA/WSDAJ, WSBA and KCBA. They include analyses of Washington appellate cases on employment matters for each of the eighteen annual WSBA Employment Law Institutes, 1994 to present.

Author, "The Disjointed Doctrine of the Handbook Exception to Employment at Will: A Call for Clarity Through Contract Analysis", 34 *Gonz. L. Rev.* 445 (1999-2000)

RECOGNITION:

100 Best Lawyers, Washington Super Lawyers[®] (2011)

The Best Lawyers in America[®] in Labor and Employment Law (1989-2012, inclusive)

Washington Super Lawyers[®] (2003-2011, inclusive)

Outstanding Plaintiff's Lawyer, Washington Defense Trial Lawyers Association (2007)

BACKGROUND & INTERESTS:

Kelby served as a law clerk to the Honorable Morell E. Sharp, United States District Judge for the Western District of Washington (1974-1976). Travel in South America and Europe; hiking in Olympic National Park; urban hikes in Seattle; photography.