

Barker's Top 10 Ways to Help a Condominium Association's Attorney in a Construction Defect Case

Presented By:

Barker Martin, P.S.

Attorney Bo Barker

10. Associating Excellent Attorneys As Co-Counsel

9. Finding well prepared opposing counsel

8. Encountering Joint Defense Arrangements

7. Improperly Using Expert Witnesses

6. Noting Unnecessary Homeowner Depositions

5. Conducting Multiple Defense Investigations

4. Continuing Trial Date

3. Holding Mediation Without Adequate Preparation

2. Failing to Protect the Interest of the Insured

1. And, from Sioux City, Iowa, the number 1 way to help a plaintiff's attorney is failing to keep your eye on the ball by any number of methods ...

1. ...from Ballpark Insurance Company.

[When] Ballpark Insurance Company* was deciding whether to fund the [negotiated but unfunded] \$6.6 million settlement, I received a [conference] call from Mr. Rosen, Ken Cook, the Ballpark Insurance adjuster assigned to this matter on Condo Builders, LLC's behalf, and Mr. Cook's boss, James Strobel. The purpose of that call was to obtain my advice as to whether the \$6.6 million settlement was reasonable, and I advised them that it was reasonable. Mr. Strobel then proceeded to tell me that it was Ballpark Insurance's view, in essence, that one of the plaintiff's counsel, Bo Barker, needed to be taught a lesson that condominium defect cases were going to become more risky, expensive and less lucrative than Mr. Barker's prior experience. In other words, it was Ballpark Insurance's view that, regardless of the merits of this particular case, settlements with Mr. Barker should be stingy as a matter of Ballpark Insurance's corporate policy.

**Some names have been changed.*

Q&A

For more information please contact:

Barker Martin, P.S.

Attorney Bo Barker

- 206-381-9806 ext. 101
- bobarker@barkermartin.com
- www.barkermartin.com