



Carinne Bannan

Of Counsel

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Carinne Bannan represents businesses and individuals in all aspects of civil litigation. Her practice focuses on the defense of claims related to personal injury, catastrophic injury and death, professional liability, employment disputes, construction defect and injury, and premises liability. She handles matters from pre-suit disputes through appeal. She also provides advice and counsel on employment matters to help clients avoid potential claims.

Carinne provides exceptional representation in a straightforward, efficient, and cost-effective manner in order to achieve the best possible result for her clients.

Prior to joining Wilson Elser, Carinne worked at a mid-size insurance defense firm in Seattle, where she handled a wide variety of civil matters.

Education

- Seattle University School of Law (J.D., *cum laude*, 2017)
 - Lead Article Editor, Seattle University Law Review
- Washington State University (B.A., *cum laude*, 2013)

Bar Admissions

- Washington

Court Admissions

- U.S. District Court, Western District of Washington
- U.S. Court of Appeals, Ninth Circuit

Services

- Toxic Tort
- Complex Tort & General Casualty
- Construction
- Professional Liability & Services
- Commercial Litigation

Professional Affiliations

- King County Bar Association
- Washington Women Lawyers, King County
- MAMA-Seattle (Mother Attorneys Mentoring Association of Seattle)

Representative Matters

Obtained summary judgment dismissal of wrongful death suit against general contractor on the basis that the decedent was a third-party material supplier and the incident did not occur on the job site.

Assisted with jury trial on restaurant premises liability claim, resulting in a defense verdict. Prepared jury instructions and motions in limine. Supervised preparation of ER 904 designations and exhibit lists, and prepared witnesses.

Obtained dismissal of Consumer Protection Act claims against real estate broker, based on an alleged failure to advise, by demonstrating that at least three out of the five elements of the claim could not be met as a matter of law.

Obtained dismissal of property manager for homeowners' association in a premises liability action by arguing the property manager owed no duty to the plaintiff homeowners based on agency law.

Obtained defense ruling at arbitration on behalf of real estate broker. The plaintiff alleged negligence and fraud in a real estate transaction.

Client Wins

Muse and Bannan Secure Complete Dismissal in Washington State Asbestos Action

Dirk Muse (Partner-Seattle) and Carinne Bannan (Of Counsel-Seattle) obtained a complete dismissal with prejudice in Spokane County Superior Court, Washington, for Wilson Elser's client, a manufacturer of roofing and decking materials. In this asbestos case – recently transferred from one side of the state to the other – Dirk and Carinne argued dismissal was the only appropriate remedy, given the plaintiff's total lack of product identification evidence connecting the client to the alleged exposure. The plaintiff's counsel, who had ignored all informal requests for dismissal, then sought a continuance of the summary judgment motion to conduct further discovery. Dirk and Carinne convinced the court that a continuance was unwarranted, as the plaintiff had failed to pursue discovery in the year since filing the case. Accordingly, the court dismissed the claims with prejudice for lack of evidence.

Tatarka, Muse, and Bannan Secure Summary Judgment in Product Liability Subrogation Matter

Gregg A. Tatarka (Partner-White Plains, NY), Dirk J. Muse (Partner-Seattle), and Carinne

Bannan (Associate-Seattle) prevailed on summary judgment in the U.S. District Court, Western District of Washington, for a consumer product and appliance distributor. In this product liability subrogation matter, the plaintiff brought an action to recover costs paid to its insureds for damage to their home when the washing machine leaked. The insureds argued the manufacturer was liable for a manufacturing defect and claimed \$400,000 in damages.

Gregg, Dirk, and Carinne filed a motion for summary judgment, arguing that the statute of repose barred a claim against our appliance distributor client related to the 15-year-old machine and that there was no evidence of a manufacturing defect. The court concurred that there was no evidence of any manufacturing defect and granted Wilson Elser's motion, the decision bolstered by the plaintiff's expert's opinion that a common industry phenomenon caused the leak.

Muse and Bannan Secure Damages Award Well below Demand in Wrongful Death Case

Dirk Muse (Of Counsel-Seattle, WA) and Carinne Bannan (Associate-Seattle, WA) obtained a favorable verdict in King County Superior Court, Washington, in a wrongful death case where the decedent's estate asked the jury to award \$87 million. The 78-year old decedent, suffering from stage IV breast cancer, was being transported to the hospital in the insured's ambulance when it collided head-on with a freeway divider. The estate alleged that (1) the insured's EMTs failed to properly secure the patient to the gurney with all available straps, and (2) that the driver failed to exercise due regard while driving an emergency vehicle. As a result of the accident, the decedent suffered multiple fractures to his ribs and spine and ultimately passed away approximately 7.5 hours later. The decedent's sister was the only statutory beneficiary. Approximately six months before trial, Wilson Elser was asked to substitute in as counsel for the ambulance company. A month before trial, the parties mediated, but the estate never dropped below \$22 million. Shortly before trial, Dirk and Carinne admitted liability and proceeded only on the issue of damages. In his closing argument, plaintiff's counsel asked the jury to award \$87 million. We suggested that \$900,000 was a fair and reasonable award. After roughly three hours of deliberating, the jury returned a verdict for \$2.3 million, significantly less than the \$5 million policy limits and the estate's ask to the jury.