



## RORY D. COSGROVE

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### Education

J.D., Willamette University College of Law,  
summa cum laude, 2014

- Class Rank: 2/113
- Managing Editor (Vol. 50), Willamette Law Review
- Honors Appellate Brief, Legal Research and Writing
- Certificate in International and Comparative Law
- Research, Writing, and Editing Assistant to Dean Emeritus Symeon Symeonides
- Legal Writing Assistant to Professor Helen Mazur-Hart

B.A., Eastern Washington University, magna cum laude, 2008

- Majors: International Affairs and French
- Vice President, Sigma Phi Epsilon
- Study Abroad, Université Stendhal III, Grenoble, France

### Bar and Court Admissions

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

### Professional Associations

Washington State Bar Association  
American Bar Association  
King County Bar Association,  
Appellate Practice Section: Chair  
Washington Defense Trial Lawyers:  
Amicus Committee, Annual  
Convention Planning Committee  
(2019, 2020)  
Defense Research Institute:  
Appellate Advocacy Section

### Languages

French

Rory's passion is civil appeals in state and federal courts. He has been counsel of record in over 50 appeals. He has argued in the U.S. Court of Appeals for the Ninth Circuit and in all three Divisions of the Court of Appeals of the State of Washington. He has filed amicus briefs in the Supreme Court of Washington on behalf of the Washington Defense Trial Lawyers, national trade associations, and insurance companies.

In addition to his love for appeals, Rory supports trial counsel in complex and high-stakes litigation.

What distinguishes Rory from his peers is his unwavering commitment to serving and building strong relationships with his clients. He strives to be his clients' ambassador of Kwan, so it's no wonder that his favorite movie is Jerry MaGuire.

Before joining the firm, Rory clerked for the Honorable James R. Verellen at the Court of Appeals of the State of Washington, Division One, for two years. His clerkship gave him valuable insight into the judicial decision-making process. Rory uses that insight to offer a unique perspective to his clients.

While in law school, Rory clerked for the Oregon Court of Appeals in the Appellate Commissioner's Office.

Rory understands the importance of diligence. Before law school, he taught English in France for two years; sold merchandise at Nordstrom on the Las Vegas Strip; owned a painting business in college; made breakfast at McDonald's in high school; and delivered newspapers to his local community as an adolescent.

Outside of the office, Rory enjoys working out, traveling abroad, and spending time with his beautiful wife, precocious young son, family, and friends. Rory channels his love for basketball by playing in Spokane's HoopFest tournament—13 years and counting. And no matter the weather, Rory will be found on the links working on his short game.

### Honors and Recognitions

- Rising Star, Washington State *Super Lawyers*, 2018-2021
- Washington Defense Trial Lawyers Outstanding Associate of the Year, 2019
- Roy Lockenour Award for Professional Responsibility
- 2008 Yarwood Award, Top Dean's Honor Student for Modern

### **Publications**

- “Disqualification and Recusal of Federal Appellate Judges,” *For the Defense* (DRI), February 2019.
- “Effect of Digital Technology on Reading and Writing Appellate Briefs,” *For the Defense, DRI*, February 2018
- Co-author, “Expansion of Judicial Review of Arbitration Awards,” *Appellate Practice*, March 13, 2017

### **Presentations**

- WDTL Annual Convention, Co-Moderator (with Jenna R. Goltermann), *Deposition Skills Practicum*, July 2019.
- WDTL Annual Convention, Co-Moderator (with Jenna R. Goltermann), *That’s What Friends Are For: Things We All Should Know For Cocktail Parties*, July 2019.
- “*ProBuilders*, Court’s Expansion of the Application of the ‘Efficient Proximate Cause Doctrine’,” PCI Association of America’s 29th Annual Western Region General Counsel Seminar, San Diego, CA, August 2018
- “Recent Developments in Nuts and Bolts of Appellate Practice,” Litigation Group, Carney Badley Spellman, May 2018
- “Appeals: 1920-2018,” NALS Annual Conference, April 2018
- “Nuts and Bolts of State and Federal Court Appellate Practice,” National Association of Legal Secretaries: Greater Seattle Chapter, February 2018
- “Developing a Pro Bono Appellate Practice,” King County Bar Association Appellate Section, December 2017”

### **Representative Pro Bono Cases**

- Negotiated structured settlement agreement on behalf of residential tenant facing eviction to keep the tenant in her home an extra month and to avoid enforcement of a writ of restitution.
- Rory is currently serving as court-appointed pro bono counsel in a civil appeal before the United States Court of Appeals for the Ninth Circuit.
- Represented a client facing eviction and successfully negotiated with opposing counsel to keep the client in his home an extra 120 days.
- Represented client facing eviction and \$12,000 in allegedly owed rent, and obtained an order dismissing the unlawful detainer action including an order of limited dissemination.
- Successfully obtained a show cause hearing for a client facing eviction in an unlawful detainer action.
- Represented residential tenant in a post-eviction hearing and successfully obtained an order reinstating client’s term tenancy and an order limiting dissemination of the unlawful detainer action.
- Represented residential tenant facing eviction and successfully negotiated with opposing counsel to keep client in her home for an extra month and saved client over \$3,000.

### **Representative Appellate Cases**

- *W.H. v. Olympia School District*, \_\_\_ Wn.2d \_\_\_, \_\_\_ P.3d \_\_\_, 2020 WL 3275612 (2020) (drafted an amicus-curiae brief on behalf of the Washington Defense Trial Lawyers in a certified-question appeal from the United States District Court for the Western District of Washington to the Supreme Court of Washington)
- *Rosen v. Rosen*, No. 52945-9-II, 2019 WL 6131246 (Wash. Ct. App. 2019) (affirming the trial court’s grant of summary judgement in our clients’ favor and awarding our clients attorneys’ fees and costs on appeal)
- *Sawyer Lake Veterinary Hosp., Inc., P.S. v. Pine Tree Veterinary Hosp.*, 8 Wn. App. 2d 1070, 2019 WL 2180128 (May 20, 2019) (successfully defended trial court’s order denying the opposing sides’ motion to set

aside the summary-judgment dismissal of the opposing sides' claims under CR 60(b)).

- *Ada Motors, Inc. v. Butler*, 7 Wn. App.2d 53, 432, P.3d 445 (2018) (uniform trade secrets act) (reversed a damages and attorneys' fee award after a jury verdict and remanded for a new trial on damages), *rev. denied*, 193 Wn.2d 1013, 441 P.3d 828 (2019).
- Drafted an amicus brief on behalf of the Washington Defense Trial Lawyers Association on specific personal jurisdiction to support a petition for review to the Washington Supreme Court (Aug. 2017).
- Successfully persuaded the Washington Supreme Court to deny our opponent's petition for review and to award our clients reasonable attorney's fees and expenses (Oct. 2017).
- *Noll v. Special Electric*, 188 Wn.2d 492, 395 P.3d 1021 (2017) (specific personal jurisdiction) (reversed and remanded)
- Drafted an amicus curiae brief on behalf of a national insurance association in the Washington Supreme Court (August 2016)

### **Representative Trial Cases**

- Successfully obtained a dismissal on the merits for lack of specific personal jurisdiction following the Washington Supreme Court's remand in *Noll v. Special Electric Co., Inc.*, 188 Wn.2d 402, 395 P.3d 1021 (2017).
- Successfully obtained a summary-judgment dismissal of a counterclaim striking down a unilateral attorney's fees provision in a homeowners' association's declaration of covenants, conditions, and restrictions.
- Successfully obtained a CR 12(c) dismissal in King County Superior Court in a complex commercial dispute.

### **Community Activities**

- Volunteer Attorney, King County Housing Justice Project
- Volunteer Attorney, King County Neighborhood Legal Clinic