

Bradley P. Thoreson

Seattle, Washington
Shareholder

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Areas of Practice & Industry Specialties

Real Estate; Litigation; Corporate Law; Construction Law & Public Contracts; Title Insurance & Escrow



Bradley Thoreson is a Shareholder in Buchalter's Seattle office and a member of the Firm's Litigation Practice Group. Brad's complex commercial litigation practice focuses on commercial real estate for some of the largest owners and developers in the United States. Recently, Brad had the opportunity to represent Unico Properties, Blackstone, EQ Office, Revantage, BRE, Hudson Pacific, MassMutual, LBA Realty, Holland Partner Group, Madison Development Group, and MainStreet Property in substantial real property disputes with most claims exceeding \$10,000,000. Brad's practice also includes "bet the company" litigation. He has successfully tried cases involving large sums including a \$97,000,000 jury verdict in Federal Court and a \$230,000,000 recovery for the University of Washington Treasury Department adverse to its former custodial bank. Most recently, Brad was able to save a company through litigation with the US Customs and Border Control, and in another, effectively represented the outgoing President/CEO of a large international private company adverse to its Chairman of the Board/majority shareholder in a multi-million buy-out dispute.

In addition to his legal practice, Mr. Thoreson contributes significant time and effort to civic and charitable causes. He currently serves on the Board of Trustees of Seattle Pacific University and the Board of Governors for the Washington Athletic Club. Mr. Thoreson is adjunct faculty at Seattle Pacific University, where he is teaching the MBA Graduate Legal Environment of Business class. He was also elected for a two year term to Board of Trustees, for the 101 Club, for 2019-2021, and has completed a two-year term as Board Chair of the Corporate Board of Directors for the Boys & Girls Clubs of King County where he continues to be involved in the organization as co-chair of its annual key events.

Awards and Recognition

- Washington Super Lawyers list, 2003-2021
- 2019 Lawyer of Distinction, *New York Times*
- 2010-2020 Top Lawyer, *Seattle Metropolitan* magazine
- 2013-2020 Top 1% on the America's Most Honored Lawyers list
- Top Rated Lawyers in Banking and Finance Law, Martindale-Hubbell 2013
- Nominated Fellow of the American Bar Foundation, 2014
- Martindale-Hubbell, AV rating

Representative Matters

- Represented Unico Properties, a multi-billion dollar private equity real estate investment fund, in a complicated dispute with LA Fitness that resulted in the termination of a 30 year lease on part of a city block located in Bellevue, WA. The client was able to re-lease the property to an office user.
- *Hudson Merrill Place LLC v. Smeraldo* – Representation of large national REIT, Hudson Pacific Properties, as landlord in litigation with an existing tenant over obligations owed under a commercial

lease..

- *J&M Capital Group v. Jamison & McFarland* – Representation of the owner of the historic J&M Hotel and Café (Seattle’s Pioneer Square) in litigation with its primary tenant over lease terms; prevailed on all claims following a bench trial in July of 2017.
- *Weiss, et. al. v. CACH, et. al.* – Represented the lead defendant in a class action, alleging state law fair debt collection violations and associated claims, which came to fruition through a Washington Supreme Court decision that was rendered on the topic almost a year after the case was filed. The case involved complex claims, two trips to the Court of Appeals and rulings in favor of the client and the eventual settlement of all claims.
- *Jane Does 1-16, et al. v. KOMO, et al.* – Assisted victims of and witnesses to the tragic shooting events that occurred at Seattle Pacific University (SPU) in 2014. Suppressed the release of SPU-proprietary video footage that it provided to the Seattle Police Department and the King County Prosecutor’s Office in the face of numerous Public Records Act requests filed, generally, by television media and a few citizen “right to know” advocates, until after the release occurred through the criminal trial of the later-convicted assailant, Aaron Ybarra.
- *Syntrix Biosystems, Inc. v. Illumina Inc.* – Representation of Syntrix Biosystems as local counsel in connection with a patent suit alleging that Illumina Inc. infringed a patent covering DNA technology and misappropriated trade secrets in a breach of a nondisclosure agreement between the companies when considering a partnership in 2000. Federal jury verdict awarded Syntrix Biosystems \$95.8 million plus interest and royalties, one of the largest ever patent judgments in the state of Washington.
- *Various Large Public Pension System Clients* – Representation of multiple large public pension fund clients over the last seven years in numerous troubled investment matters involving informal negotiations, litigation and trial resulting in recoveries for the pension funds ranging from \$5 million to \$400 million.
- *Sacramento County Employees Retirement System v. Weyerhaeuser* – Representation of Sacramento County Employees’ Retirement System in connection with a direct claim by the pension fund brought against The Weyerhaeuser Company for breach of contract. Verdict awarded Sacramento County a multimillion dollar verdict and all other damages and fees it was seeking, and settled while the defendant was appealing the trial court’s verdict.
- *Seattle City Employees Retirement System* – Representation of Seattle City Employees Retirement System (SCERS) in an effort to exit a significant British Virgin Islands and Cayman Islands hedge fund investment, wherein the redemption was denied. Facilitated a takeover of a BVI feeder fund by SCERS and commenced action in the U.S. federal courts, as well as in the British Virgin Islands and was also forced to protect a related client entity in an out of state bankruptcy/claw back action.
- *Regence Group of Companies v. BNY Mellon* – Representation of Regence Group in connection with claims against its custodial bank, BNY Mellon, for violations of 12 separate Regence affiliated securities lending agreements. Successfully recovered \$180 million dollars in Regence-loaned securities.
- *New York City Retirement Systems* – Representation of New York City Retirement Systems in connection with a fraud related matter incidental to an international investment fund, including investigation of a potential indictment of general partner. Successfully prosecuted and negotiated exit from fund and release for our client.
- *New Mexico Educational Retirement Board* – Representation of New Mexico Educational Retirement Board with respect to litigation due diligence review, investigation and legal analysis of its “pay-to-play” placement agent issues. University of Washington v. Northern Trust Lead attorney in successful representation of the Investment Office of the University of Washington in multi-billion dollar litigation involving breach of contract and breach of fiduciary duties claims against custodial bank under Securities Lending Agreement. Only known cases where the securities lending client was able to exit the program without resort to equitable division of the accounts assets.
- *Peregrin Investors v. Chan* – Lead attorney in successful recovery of over \$4,000,000 in damages from general partner for Hong Kong-based limited partners for breaches of fiduciary duties in real estate investment ventures.
- *City Investors (Vulcan) v. ConocoPhillips Company* – Lead attorney in successful prosecution of

environmental contamination claims against oil company resulting in one of the most extensive single gas station clean-up efforts in U.S. history – estimated to exceed \$15,000,000 for remediation of the affecting and surrounding properties.

- *Bedford Property Investors v. The Boeing Company* – Lead attorney in successful prosecution of multi-million dollar claim by Landlord against Tenant related to lease termination obligations.

Publications

- Buchalter Client Alert: Impact of COVID-19 on Real Estate Transactions, *Buchalter Client Alert*, March 16, 2020

Education

Mr. Thoreson earned his J.D. from the University of Puget Sound in 1988, and his B.S. from Seattle Pacific University in 1985.

Bar Admissions

- Washington
- Oregon

Court Admissions

- Federal District Court, various districts
- U.S. Court of Appeals for the Ninth Circuit
- United States Supreme Court