



Donald B. Scaramastra

Owner - Seattle

Second & Seneca Building
1191 Second Avenue
18th Floor
Seattle, WA 98101-2939

dscar@gsblaw.com
206.816.1449 [Tel](#)
206.464.0125 [Fax](#)

Donald Scaramastra has successfully represented clients in litigation concerning environmental cleanup cost recovery and insurance coverage, antitrust and competition issues, and trust and estate disputes, and in other constitutional and complex litigation. He appears on behalf of clients before federal and state trial and appellate courts.

Experience

Alakayak v. All Alaskan Seafoods

Co-counsel in defense of price fixing claims in the Bristol Bay sockeye salmon industry.

Best v. Grant County

Successful class action challenge to constitutionality of felony public defense system.

Braam v. State of Washington

Co-counsel for plaintiffs in successful class action challenging constitutionality of state foster care system. 150 Wn. 2d 689; 81 P.3d 851 (2003).

Brix Maritime Company v. Argonaut Insurance Company

Successful prosecution of claims for insurance coverage of environmental cleanup at federal Superfund site.

Class Action Litigation

Defense and successful resolution of putative class action claims for wages and benefits against insurance company.

Construction Litigation

Successful resolution of claims and counterclaims relating to construction site defect claims.

Environmental

Defense or handling of actual or potential cost recovery claims against petroleum distribution company involving allegations under Alaska, or federal law concerning the cleanup of hazardous substances.

Estate of Rabinowitz

Successful defense of challenge to durable power of attorney at trial and on appeal. 114 Cal. App. 4th 635; 7 Cal. Rptr. 3d 722 (2003).

Estate of Rhodehamel

Successful defense of challenge to durable power of attorney on appeal and in ancillary proceedings. 138 Wash.App. 1062, 2007 WL 1589457 (Jun. 4, 2007).

Foss Maritime Company v. Aetna Casualty & Surety

Successful prosecution of multimillion-dollar claims for insurance coverage of environmental cleanup costs at federal and state Superfund sites.

Insurance Coverage

Pursuit of insurance coverage for claims for natural resource damages under federal and Washington law.

Insurance Coverage Litigation

Successful prosecution of insurance coverage claims for professional liability claims against engineering company; personal counsel to engineering company in defense of professional liability claims.

Jaynes v. Puget Sound Naval Shipyard

Recovery of years of hazard pay for 74 shipwrights. Opinion after trial on affirmative defenses at 75 Fed. Cl. 218 (2007).

Kitsap County v. Allstate Insurance Company

Successful prosecution of multimillion-dollar claims for environmental insurance coverage after obtaining favorable Supreme Court ruling on coverage issues. 136 Wn.2d 567, 964 P.2d 1173 (1998).

Sacks v. Office of Financial Assets Control

Obtained injunction against federal agency's effort to impose civil penalty on conscientious objector for exporting medicine and medical supplies to Iraq; affirmed on appeal. 466 F.3d 764 (9th Cir. 2006).

Skarbo v. Skarbo Scandinavian Furniture Import, Inc.

Successful suit to resolve deadlock between two equal shareholders by compelling sale of shares to client. 1.5-week trial; affirmed on appeal. 2005 Wash. App. LEXIS 2066 (Aug. 15, 2005).

Taliesen v. Razore Land Company

Successful prosecution of claims for environmental cleanup against multiple defendants. Obtained contribution toward cleanup costs and attorney fee award against all but one defendant after six-week trial; affirmed on appeal. 135 Wn. App. 106 (2006).

Services

- ▶ Environmental Litigation
- ▶ Insurance Coverage Litigation
- ▶ Antitrust Litigation
- ▶ Class Actions
- ▶ Trusts and Estates Litigation
- ▶ Commercial Litigation
- ▶ Environmental Law
- ▶ Natural Resources

Industries

- ▶ Maritime Companies and Fisheries

Education

- ▶ University of California at Berkeley, Boalt Hall School of Law, J.D., 1991
 - ▶ Notes and Comments Editor, *California Law Review*
 - ▶ Member, Moot Court Board
- ▶ University of California Irvine, B.A., Political Science, *magna cum laude*, 1988

Admissions

- ▶ Washington, 1992
- ▶ U.S. Court of Appeals, 9th Circuit, 1993
- ▶ U.S. District Court, Western District of Washington, 1992
- ▶ U.S. District Court, Eastern District of Washington, 1997
- ▶ U.S. Court of Federal Claims, 2004

Professional Recognition

- ▶ Listed in Martindale-Hubbell Bar Register of Preeminent Lawyers for Commercial Litigation, 2010
- ▶ Named a "Top Lawyer" for Environmental Law in *Seattle Met* magazine, 2010
- ▶ Named by peers as a "Super Lawyer" in *Washington Law & Politics* magazine, 2009-2011
- ▶ Named by peers as one of Washington's "Rising Stars" in *Washington Law & Politics* magazine, 2001-2003 and 2006-2007
- ▶ Selected as one of *Puget Sound Business Journal's* "Forty Under 40" for professional accomplishments and community involvement, 2005
- ▶ Garvey Schubert Barer's Dallaire Public Service Award, 2004
- ▶ Martindale-Hubbell AV/5.0 Peer Review Rated

Professional Activities

- ▶ Chair, Board of Trustees, King County Bar Association Young Lawyers Division, 2003-2004; Trustee, 2001-2004

Community Activities

- ▶ President, Board of Directors, Children's Alliance, 2004-present; Board Member, 2002-2004
- ▶ Member, Professional Services Volunteer Corps Organizing Committee, Washington's National Park Fund, 1998-1999

Publications

- ▶ "Making Gideon Real: Washington Counties and the Duty to Provide Effective Assistance of Counsel," co-author, *Washington State Bar News*, February 2007.