



Seth J Berntsen

Labor & Employment, Litigation
(206) 676-7020
sethb@summitlaw.com

Profile Introduction

Seth Berntsen is a litigator, with a particular focus on employment litigation on behalf of businesses and entities of all sizes. Seth has represented employers in litigation concerning wrongful termination, discrimination, harassment, retaliation, wage and hour, non-competition, and other employment matters. He has considerable experience representing educational institutions, healthcare facilities, and other employers in defense of claims brought by former and current employees. Additionally, Seth has significant experience with advice and litigation over noncompetition agreements and trade secrets. He has also represented commercial clients in contract, tort, product liability, real estate, and personal injury litigation.

Representative Cases/Matters

- Following multi-week jury trial, obtained defense verdict on discrimination, retaliation, harassment, and accommodation claims.
Olarte v. University of Washington (2020-2022). Served as lead counsel in defense of former employee's claims of discrimination, retaliation, harassment, and failure to accommodate. After extensive discovery, obtained summary judgment dismissal of harassment and accommodation claims. After a three-week in-person trial, jury returned defense verdict in the University's favor on remaining claims of discrimination and retaliation.
- Obtained defense verdict on harassment, discrimination, and retaliation claims.



Anchamparuthy v. University of Washington, et al. (2019-2021). Served as lead trial counsel in defense of harassment, discrimination, and retaliation claims brought by former employee against the University of Washington and two individuals. Obtained dismissal of claims against individual defendants. Claims against University proceeded to four-week jury trial conducted via Zoom during COVID-19 pandemic. Jury returned defense verdict on all claims.

- **Won unanimous jury verdict in wrongful termination case**

Reynolds v. University of Washington, et al. (2019-2020). Served as lead trial counsel in successful defense of wrongful termination case against the University of Washington and individual manager. After a two-week trial conducted at Meydenbauer Center during the COVID-19 pandemic, a unanimous jury returned a defense verdict after only ten minutes of deliberations.

- **Obtained summary judgment dismissal in wage, accommodation, and discrimination case**

Singh v. University of Washington (2018-2019). Served as lead counsel in representing the University of Washington in defense of wage, contract, disability accommodation, discrimination, and other claims brought by estate of former University faculty member. After conducting discovery, secured summary judgment dismissal of all claims with prejudice.

- **Obtained defense verdict in jury trial of discrimination claims**

Kelli Young v. M.W.A., LLC, et al. (2017-2019). Served as lead trial counsel in defending gender and age discrimination claims brought by financial advisor against wealth management firm and individual defendant corporate officer. Secured summary judgment dismissal of discrimination claims against individual defendant corporate officer. Claims against wealth management firm proceeded to a roughly three week jury trial in King County Superior Court where jury rendered defense verdict on all claims in favor of client M.W.A, LLC.

- **Successfully defeated disability discrimination, harassment, retaliation, and aiding and abetting claims**

Schmitz v. University of Washington et al. (2016-2018). Served as lead trial counsel in defending the University of Washington against claims of disability discrimination, accommodation, harassment, and retaliation brought against the University and in defending three University managers against claims of “aiding and abetting” discrimination. The case proceeded to a nearly month-long jury trial in King County Superior Court in March 2018, resulting in a unanimous defense verdict on all claims in favor of the University and the individual defendants.

- **Successfully defended discrimination and leave-related claims**



Slapsys v. University of Washington (2015-2016). Successfully defended discrimination and leave-related claims brought by former University pharmacist through a series of successful summary judgment motions resulting in complete dismissal of all claims.

- Served as lead defense counsel in representing the University of Washington in successfully defending claims of race, ethnicity, and age discrimination and retaliation

Sambou v. University of Washington (2015-2016). Served as lead defense counsel in representing the University of Washington in successfully defending claims of race, ethnicity, and age discrimination and retaliation. The case proceeded to an eight-day jury trial in King County Superior Court, in which 17 witnesses testified. All claims were denied and dismissed in the University's favor.

- Secured summary judgment dismissal of discrimination, harassment, and retaliation claims

Manning v. Swedish Medical Center (2015-2016). Secured summary judgment dismissal of discrimination, harassment, and retaliation claims brought by former Swedish employee.

- Secured summary judgment dismissal of disability discrimination and contract-based claims

McGlashan v. University of Washington (2015-2016). As lead defense counsel, secured summary judgment dismissal of disability discrimination and contract-based claims brought by a former University employee.

- Secured summary judgment dismissal of discrimination, harassment, and retaliation claims

Collins v. Swedish Medical Center (2015-2016). Secured summary judgment dismissal of discrimination, harassment, and retaliation claims brought by former Swedish employee.

- Secured dismissal, with prejudice, of various claims against the University of Washington and three University employees

Mansfield v. Jones-Pfaff, University of Washington, et al. (2014-2015). As lead defense counsel, secured dismissal, with prejudice, of various claims against the University of Washington and three University employees, including summary judgment dismissal of First Amendment retaliation claims.

- Obtained complete reversal of a public records act judgment and penalties



Bichindaritz v. University of Washington (2012-2015). Along with co-appellate counsel obtained complete reversal of a public records act judgment and penalties levied against the University, securing a final judgment in the University's favor.

- Served as lead trial counsel in representing the University of Washington in successfully defending discrimination and retaliation claims

Bichindaritz v. University of Washington (2012). Served as lead trial counsel in representing the University of Washington in successfully defending discrimination and retaliation claims brought by former faculty member in federal court. After a six-day bench trial, in which 23 witnesses testified, the court entered a verdict for the University on all claims. Defense verdict affirmed by the Ninth Circuit Court of Appeals (2013).

- Served as lead defense counsel in successfully defending discrimination, retaliation, and more than a dozen other claims

Satterwhite v. University of Washington (2012). Served as lead defense counsel in successfully defending discrimination, retaliation, and more than a dozen other claims brought by former University faculty member. After completing discovery, obtained dismissal of all claims on summary judgment.

- Served as lead counsel in prosecution of noncompetition claims

WPM NW, Inc. v. GW Services of WA, Inc., et al. (2011). Served as lead counsel in prosecution of noncompetition claims, including for breach of non-solicitation agreement and violation of trade secrets act, against former agent of property management company and competitor who hired former agent. A two-day arbitration, with more than a half-dozen witnesses testifying, resulted in judgment against defendants totaling more than \$370,000.

- Served as lead defense counsel in successfully defending discrimination and retaliation claims

Cardenas v. Interocean American Shipping (2010). Served as lead defense counsel in successfully defending discrimination and retaliation claims brought by former employee of marine shipping company. After completing discovery, obtained summary judgment dismissal of all claims. Affirmed, in part, on appeal.

Publications & Speaking Engagements

- Speaker, Guided Tour of Employment Litigation Land, AWC Labor Relations Institute, May 2022
- Author, "Legislature Passes COVID-19 Health Emergency Labor Standards Bills," Summit Law Group Client Alert, May 2021



- Speaker, "Preventing, Investigating, and Defending Retaliation Claims in Higher Education," Central Washington University, July 2014
- Speaker, "Important Developments in Retaliation and Whistleblower Cases," WSBA-CLE 18th Annual Employment Law Institute, April 2011
- Speaker, "Social Media and Social Networking in the Workplace: Managing the Risks," Private Seminar, September 2010
- Speaker, "Guarding Against Employee Theft, Misuse, and Disclosure of Confidential, Proprietary and Trade Secret Information," Private Seminar, November 2009
- Speaker, "Managing the "Problem Employee" and Guarding Against Retaliation Claims," Private Seminar, March 2009

Memberships

- King County Judiciary and Courts Committee, 2004

Honors

- Rising Star, Washington Super Lawyers List, 2003-2004 and 2006-2014
- Martindale-Hubbell Register of Preeminent Lawyers for Commercial Litigation, 2010

Community Service

- Downtown Seattle YMCA
 - Board of Managers, 2007-2009
 - Membership Committee, 2005-2009

Education

- University of California Davis School of Law, J.D., 2000
 - UC Davis Law Review*, Senior Articles Editor
 - American Jurisprudence Award, Legal Writing
- University of Washington, B.A., Psychology, *magna cum laude*, 1997

Bar Admissions

- Washington
- U.S. District Court, Western District of Washington
- U.S. District Court, Eastern District of Washington