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E-FILED Hearing Date: July 17, 2026  
CASE #: 23-2-10294-1 SEA

IN THE SUPERIOR COURT OF THE STATE WASHINGTON  
COUNT OF KING

EPIC HOMEOWNERS ASSOCIATION, a  
Washington limited liability company;  
BAYVIEW ON THE LAKE CONDOMINIUM  
OWNERS ASSOCIATION, a Washington  
nonprofit corporation; ARBORETUM AT VISTA  
PARK CONDOMINIUM ASSOCIATION, a  
Washington nonprofit corporation; THE VINE  
BUILDING OWNERS ASSOCIATION, a  
Washington nonprofit corporation; and THE  
COSMOPOLITAN CONDOMINIUM OWNERS'  
ASSOCIATION, a Washington nonprofit  
corporation, all individually and on behalf of  
similarly situated entities,

Plaintiffs,

v.

MARK HOLMES and J. DOE HOLMES, and the  
marital community comprised thereof;  
KAPPES MILLER MANAGEMENT, LLC, a  
Washington limited liability company; YATES,  
WOOD & MCDONALD, INC., a Washington  
corporation; ECONDOSERVICES.COM, LLC, a  
Washington limited liability company;  
ASSOCIATION UNDERWRITERS OF  
WASHINGTON, LLC, a Washington limited  
liability company; DOE ENTITIES 1-20; and  
KELLY SZETO and J. DOE SZETO, and the  
marital community comprised thereof,

Defendants.

NO. 23-2-10294-1 SEA

**DECLARATION OF ISAAC RUIZ IN  
SUPPORT OF PLAINTIFFS' MOTION FOR  
ATTORNEYS' FEES, LITIGATION COSTS,  
AND SERVICE AWARDS**

1 I, Isaac Ruiz, declare as follows:

2 1. I am over 18 years of age, I make this declaration based on my own personal  
3 knowledge, and I am competent to testify to the facts in this declaration.

4 **A. My Background and Qualifications**

5 2. I am the founder and managing partner of Ruiz & Smart LLP.

6 3. I grew up in the Rio Grande Valley of Texas, in a farming family. My parents were  
7 both Mexican immigrants who moved to Texas in the late 1960s. In 1996, I became my family's  
8 first college graduate when I obtained my B.A. degree from the University of Texas at Austin  
9 (Government and Economics).

10 4. In 2000, I graduated from Notre Dame Law School, *magna cum laude*. While at  
11 Notre Dame, I served on the Notre Dame Law Review and the Journal of College & University  
12 Law. I received the award for best student article in my second year. I also served as Research  
13 Assistant to Professor Joseph Bauer, assisting him in supplementing his multivolume antitrust  
14 treatise during my second and third years.

15 5. From 2000 to 2002, I clerked for the Honorable Carlos F. Lucero of the U.S. Court  
16 of Appeals for the Tenth Circuit in Denver, Colorado. I have worked at law firms including  
17 Arnold & Porter as a clerk right of law school before bar exam results were received;  
18 Brownstein Hyatt Farber Schreck as a litigation associate; Perkins Coie LLP in Seattle in its  
19 product-liability department; and Keller Rohrback, starting as an associate.

20 6. At Keller Rohrback, I became a Tier II and then a Tier I partner. In 2019, I left  
21 Keller Rohrback and founded our new firm, Ruiz & Smart.

22 7. I have received "Super Lawyers" honors from Thomson Reuters since 2015 and  
23 "Top 100" honors from the same organization for two of those years. In 2014, I wrote and  
24 published a legal book entitled, Washington's Insurance Fair Conduct Act: Cases and Analysis,  
25 which is popular among attorneys who handle insurance litigation. The same year, I compiled  
26 the first and only complete collection of IFCA's legislative history, including commissioning  
27

1 transcripts of all legislative hearings, which have been made available to the public. I recently  
2 published The IFCA Book: 2025.

3 8. I have served as chair of the Washington State Association for Justice’s (WSAJ’s)  
4 Insurance Section. Many years, I present an update on legal developments relating to IFCA to  
5 WSAJ’s membership during the annual insurance seminar. I have given many seminar  
6 presentations relating to insurance litigation—not just at events hosted by plaintiff attorney  
7 organizations such as WSAJ but by groups such as the American Bar Association Insurance  
8 Coverage Litigation Committee, the Washington Defense Trial Lawyers, and adjusters.

9 9. From 2015 through 2019, I served as a commissioner on Seattle’s Community  
10 Police Commission (CPC), a police oversight body that plays an important role in the ongoing  
11 federal consent decree process. I was appointed by Mayor Edward Murray and re-appointed by  
12 the City Council. From 2017 through 2019, I was elected by my colleagues on the commission as  
13 Co-Chair of the CPC. During my time on the CPC, I had the privilege of working in deliberations  
14 and negotiations leading to the passage of Seattle’s landmark accountability reforms in 2017;  
15 advocacy on behalf of the community in the consent-decree case; and analysis of collectively  
16 bargained agreements and their effect on police accountability. On occasion, I served as  
17 spokesperson for the CPC in the federal court, the City Council, in private and public meetings  
18 with government officials, and elsewhere. I have given public presentations on the topic of  
19 police accountability at events hosted by the ACLU of Washington and the National Association  
20 for Civilian Oversight of Law Enforcement.

21 10. I served as president of the board of directors for Entre Hermanos, a nonprofit  
22 organization that provides health services to Latino members of the LGBTQ community. In the  
23 past, I served (at various times) as secretary, vice-president, and president of the board of  
24 directors of Law Foundation, an organization that provides free legal services to the LGBTQ  
25 community.

26 11. I am currently on the board of Purpose. Dignity. Action. (PDA), an organization  
27 that strives to build robust support for non-punitive, community-based solutions to many public

1 safety issues. The principles behind PDA’s work have been around for decades, but widespread  
2 acceptance requires trust-building. That’s what our organization does.

3 12. I frequently serve as an adjunct professor at Seattle University Law School,  
4 teaching pretrial litigation practice to 2Ls and 3Ls.

5 13. I occasionally serve as amicus counsel in the trial and appellate courts.

6 14. In 2024, I had the honor of attending the Gerry Spence Method (GSM) at  
7 Thunderhead Ranch in Dubois, Wyoming. GSM’s mission is to revolutionize students’ trial  
8 practices through a deeper understanding of human behavior and the mastery of universal  
9 storytelling. Guided by dedicated trial attorneys who volunteer their expertise, students  
10 witness the power of the Spence Method to benefit our clients first-hand. This is a three-week  
11 immersive, life-changing program.

12 **B. Background of Ruiz & Smart LLP**

13 15. At least half of our firm’s work involves insurance recovery and bad-faith  
14 litigation on behalf of policyholders.

15 16. Before I founded Ruiz & Smart, I was a Tier I equity partner with Keller Rohrback  
16 LLP, where I worked for 11 years. Many attorneys and staff from our team at Keller Rohrback  
17 now form part of our team at Ruiz & Smart.

18 17. It is our firm’s design that all attorneys and legal staff have or develop extensive  
19 history and experience litigating not only insurance bad-faith cases, but a wide variety of  
20 plaintiff-focused litigation. Four of our attorneys have received “Super Lawyer” honors from  
21 Thomson Reuters.

22 18. Since we have been working together, our team has represented a diverse group  
23 of insureds, including manufacturers, governmental entities, businesses of all sizes, individuals,  
24 and families.

25 19. Our lawyers have, for example, represented King County in connection with  
26 multimillion dollar claims relating to the design of the Brightwater Influent Pump Station. Our  
27

1 attorneys have worked on other cases including, for example, *Bird v. Best Plumbing Group, LLC*,  
2 175 Wn.2d 756, 287 P.3d 551 (2012) (regarding reasonableness hearings following covenant  
3 judgments), and *Merriman v. American Guarantee & Liability Insurance Co.*, 198 Wn. App. 594,  
4 396 P.3d 351 (2017) (regarding, among other things, liability of independent adjusters).

5 20. Although we litigate other types of traditional plaintiff cases—including  
6 employment, personal injury, and premises liability cases—at least half of our work involves  
7 insurance coverage and bad faith claims. Our non-insurance cases include a major injury case  
8 against a large technology company (which recently resulted in a confidential settlement), a  
9 sexual-harassment action against the Washington State Bar Association, and a sexual-  
10 discrimination action against the chief executive of WAFLA (formerly known as the Washington  
11 Farm Labor Association).

12 21. Our attorneys have also been called to represent public figures in legal matters  
13 and provide consulting services relating to police accountability.

14 **C. Qualifications of other Ruiz & Smart attorneys and paralegals**

15 22. William C. Smart (the “Smart” in Ruiz & Smart) was named “Super Lawyer” for  
16 more than 20 years until he retired in April 2024. His well-known cases included those involving  
17 insurance bad faith, traumatic brain injury, medical malpractice and securities fraud. He  
18 litigated matters in Washington, Alaska, Oregon, Montana, Ohio, the Shorelines Hearings  
19 Board, and the Board of Industrial Insurance Appeals as well as various tribal courts. He also  
20 devoted his time to land and water conservation through the Trust for Public Land and the  
21 Atlantic Salmon Federation.

22 23. McKean Evans is a former attorney of the firm. He has spent his career handling  
23 cases involving insurance and ERISA-governed employee benefit claims. He received the  
24 designations “Super Lawyer” or “Rising Star” from Thompson Reuters every year since 2018. He  
25 publishes the Seattle Insurance and ERISA Blog and is a frequent author and speaker on  
26 insurance and ERISA matters in the Seattle legal community.  
27

1           24.     Kathryn Knudsen is a partner of the firm. Her practice focuses primarily on  
2 policyholder insurance bad faith, serious injury, and representing victims of discrimination and  
3 harassment. She has experience representing insureds in cases ranging from single-family  
4 homeowner disputes to complex class action claims. She is a frequent speaker on insurance  
5 litigation topics and the editor of the Insurance Law Deskbook.

6           25.     Denise Chen is a former associate of the firm. Denise was born and raised in  
7 Washington, where her interest in law first took root during high school through the YMCA  
8 Mock Trial program. The experience of building cases, stepping into the courtroom, and  
9 advocating for others sparked a deep interest in the legal field that continued to grow  
10 throughout her education and career. At Ruiz & Smart, Denise practiced insurance coverage  
11 law, where she advocated for individual and corporate policyholders, holding insurance  
12 companies accountable for bad faith claims-handling misconduct.

13           26.     Marilyn Wagoner-Funk is a litigation specialist paralegal with over 40 years of  
14 experience in trial work. She is knowledgeable in all areas of litigation, discovery, trial  
15 preparation, trial presentation, arbitration hearings, and mediation.

16 **D.     Prosecution of this case**

17           27.     Ruiz & Smart advanced significant costs for and invested numerous hours into  
18 the investigation and prosecution of this case. We will continue to commit the time and  
19 resources necessary to litigate the case and fairly and adequately represent and protect the  
20 interests of the Plaintiffs and the Class.

21           28.     The work performed by paralegals and legal assistants was work that an attorney  
22 would have had to perform without their assistance. The work performed by Marianne Ide and  
23 Marilyn Wagoner-Funk required an understanding of the facts and claims at issue in the case  
24 and was important to the development of those facts and claims. They are qualified to perform  
25 substantive legal work based on their training and past experience working for attorneys.  
26  
27

29. The following table identifies the attorneys and staff members from Ruiz & Smart who worked on this case and for whom the recovery of fees is sought. For each of the timekeepers below I have stated the current hourly rate, the number of hours worked through February 3, 2026, and the total amount of fees. These time summaries are taken from contemporaneous, daily time reports prepared and maintained by Ruiz & Smart in the regular course of business.

NAME AND POSITION	DESCRIPTION OF WORK PERFORMED	RATE	HOURS BILLED	TOTAL
<b>ATTORNEYS</b>				
Isaac Ruiz Partner J.D. from Notre Dame School of Law, 2000	Assisted with case strategy and client relations.	\$600-\$650	5.4	\$3,510.00
William C. Smart Retired Partner J.D. from Willamette Univ., 1977	Assisted with case strategy, drafting complaint and discovery requests, and communications with clients.	\$750	15.40	\$11,550.00
McKean Evans Attorney J.D. from Univ. of Pittsburgh School of Law, 2010	Managed case and developed strategy for discovery, motion practice, and class certification, communicated with clients, drafted complaint, discovery requests and responses, and motions, supervised document review and ESI collection, conferred with defendants, participated in preparing class certification motion, mediation strategy, and settlement negotiations.	\$475-\$510	531.4	\$271,034.10

NAME AND POSITION	DESCRIPTION OF WORK PERFORMED	RATE	HOURS BILLED	TOTAL
Kathryn Knudsen Partner J.D. from Seattle Univ. School of Law, 2008	Assisted with drafting complaint.	\$525-\$540	.7	\$370.50
Denise Chen Former Associate J.D. from Seattle University Law School, 2022	Drafted discovery requests and responses, drafted motion to compel and reply.	\$350-\$375	53.7	\$20,132.50
PARALEGALS/LEGAL ASSISTANTS				
Marilyn Wagoner-Funk Senior Paralegal 40+ years legal experience	Communicated with clients, reviewed client documents, worked with clients on document and ESI production and discovery responses, reviewed defendants' documents.	\$350	571.0	\$199,850.00
Marianne Ide Paralegal Approximately 3 years legal experience	Reviewed client documents and assisted with production, discovery responses, and privilege log, communicated with clients and potential class members, reviewed defendants' production.	\$150	492.4	\$73,860.00
<b>TOTAL</b>			<b>1,670.0</b>	<b>\$580,307.10</b>

30. Ruiz & Smart sets its hourly rates for attorneys and staff members based on their experience and reputation, the experience, skill and sophistication required for the legal services they typically perform, and the rates customarily charged in the legal market for legal professionals with similar experience.

