



Ann T. Marshall

Mediator, Arbitrator, Referee/Special Master

Ann T. Marshall is a trusted and results-driven dispute resolution professional. She is available nationwide for in-person cases and is also adept at facilitating valuable, effective remote proceedings.

As a litigation attorney for over 25 years, Ann represented a broad spectrum of clients. She worked with in-house legal teams in Fortune 100 companies as well as individuals never before involved in litigation. Her clients included:

- National banks
- Insurance companies and insureds
- Commercial and consumer lenders
- Small businesses
- Individuals

Ann began her legal career as a hard-working criminal defense lawyer. She then joined the boutique Seattle law firm Bishop & Lynch, P.S. There, she grew to be a trusted partner at the firm which became Marshall & Weibel, P.S. Ann acquired deep experience in real estate, commercial finance, and consumer lending. She ran the gamut of civil litigation, representing both plaintiffs and defendants on matters in federal and state courts—from thorny discovery disputes to appellate practice. To provide clients full West Coast service, Ann led her Pacific Northwest team to join the

California law firm Anglin Flewelling Rasmussen Campbell & Trytten, LLP (AFRCT). Ann was the managing partner of the AFRCT Seattle office, where she managed litigation in Washington, Oregon, Idaho, and Alaska.

Ann has extensive dispute resolution experience and training. In 2012, she completed mediation training at the top-ranked Straus Institute for Dispute Resolution at Pepperdine University School of Law and began mediating alongside her litigation practice. Driven beyond initial training, she returned to Pepperdine over the years for many courses in negotiation and mediation, attended numerous additional trainings at other institutions, and established relationships in the national dispute resolution professional community. She joined JAMS in 2020 where she practices dispute resolution exclusively.

Ann knows that exceptional dispute resolution is not a one-size-fits-all method. From empathy to complex risk analysis, she brings a versatility to her work as a neutral built on decades of successful negotiation and problem solving. With extraordinary diligence, she is dedicated to understanding each party's perspective and situation. Ann is a high-value partner helping parties achieve resolution.

Ms. Marshall has litigation or mediation experience in the following subjects:

Representative Matters

- **Bankruptcy**

- Adversary proceedings
- Automatic stay – scope, violations, exceptions, relief, and annulment
- Chapter 7
- Chapter 11
- Chapter 11 Subchapter V – Small Business Debtor Reorganization
- Chapter 13
- Creditor Claims
- Class Action Creditors Claims
- Discharge – objections and violations
- Estate's avoiding powers
- Exemptions
- Estate property
- Fraudulent transfers
- Judicial estoppel
- Lien stripping
- Liens – validity and priority
- Preferential transfers
- Single asset real estate cases
- Valuation of security – commercial and residential real estate

- **Business & Commercial**

- Alter ego/veil piercing
- Banking/finance: mezzanine financing, bridge loans, construction loans, open and closed lines of credit
- Class Actions

- Commercial Finance
- Contract – interpretation, breach, and damages
- Deficiency judgments
- Construction and development
- Directors’ and officers’ liability
- Entity dissolution and disputes
- Federal Deposit Insurance Corporation (FDIC)
- Fiduciary duty
- Fixture filings
- Fraudulent Transfers
- Guarantor liability
- Indemnity
- Joint venture/entity disputes
- Leases
- Liens
- Mobile home parks
- Purchase and sale transactions
- Receiverships
- Replevins
- Sheriff’s sales
- Successor liability
- Subrogation
- Upset price hearings
- Uniform Commercial Code (UCC)
- Uniform Voidable Transactions Act (UVTA)

- **Construction**

- Bonds
- Construction contract disputes
- Delays and defects
- Mechanics’ and Materialmen’s Liens – perfection, foreclosure, release, validity and priority
- Regulations
- Subdivisions

- **Consumer Finance**

- Accounting
- Attorney’s fee claims
- Attorney General enforcement actions
- Class actions
- Collection Agency Act (CAA)
- Collections
- Consumer Protection Act (CPA)
- Credit reporting
- Emotional distress damages
- Escrow Agent Registration Act
- Fair and Accurate Credit Transactions Act (FACTA)
- Fair Credit Reporting Act (FCRA)

- Fair Debt Collection Practices Act (FDCPA)
 - Fee shifting
 - Fixtures
 - Fraudulent Transfers
 - Government-Sponsored Enterprise (GSEs Fannie Mae and Freddie Mac)
 - Guarantors
 - Home Affordable Mortgage Program (HAMP)
 - Home Equity Lines of Credit (HELOC)
 - Home Ownership and Equity Protection Act (HOEPA)
 - Homestead exemption
 - Identity theft
 - Loan origination
 - Loan servicing
 - Predatory lending
 - Real Estate Settlement and Procedures Act (RESPA)
 - Replevins
 - Security interests – real and personal property
 - Student loans
 - Sub-prime lending
 - Telephone Consumer Protection Act (TCPA)
 - Truth in Lending Act (TILA)
 - Unfair and deceptive practices
 - Uniform Commercial Code (UCC)
 - Uniform Voidable Transactions Act (UVTA)
 - Writs – attachment, execution, and garnishment
- **Insurance**
 - American Land Title Association (ALTA) title insurance policies
 - Bad faith
 - Commercial general liability
 - Construction
 - Coverage
 - Duty to defend
 - Homeowner's insurance
 - Insurance Fair Conduct Act (IFCA)
 - Office of the Insurance Commissioner (OIC) proceedings
 - Professional liability
 - Subrogation
 - Underinsured motorist
- **Professional Liability**
 - Attorney
 - Debt collection
 - Escrow
 - Limited practice officer (LPO)
 - Realtor
 - Surveyor

- **Real Estate/Real Property**

- Access/driveway
- Adverse possession/boundary disputes
- Appeals
- Bank real estate owned properties (REO)
- Bona fide purchaser doctrine
- Bonds
- Code compliance
- Community Property
- Condemnation
- Condominiums and associations
- Conveyances and encumbrances
- Covenants, conditions and restrictions (CC&Rs)
- Declaratory judgment actions
- Deeds of Trust Act (DTA)
- Easements
- Eminent domain
- Escrow
- Equitable subrogation
- Evictions
- Foreclosure – nonjudicial and judicial
- Forfeitures
- Forgery
- Fraud
- Height/view restrictions
- Heir disputes
- Homeowner’s Associations (HOA)
- Internal Revenue Service (IRS) liens
- Inverse condemnation
- Land use
- Landlord tenant
- Leases
- Legal description issues
- Liens – priority and validity
- Lis pendens – effect and wrongful recording
- Lot approval
- Misrepresentation
- Mobile homes
- Mortgages
- Nuisance
- Partition actions
- Plat approval
- Probate
- Purchase and sale transactions
- Recording Act
- Reformation of instruments
- Rights of first refusal
- Rights of way

- Seizures
- Seller disclosure liability
- Separate Property
- Setbacks
- Shared structures, driveways, and wells
- Subordination agreements
- Subdivision
- Supersedeas bonds and stays
- Tax liens, foreclosures and sales
- Timber trespass
- Title defects
- Title insurance
- Trespass
- Unlawful detainers
- Unrecorded real property interests
- Valuation
- Water rights
- Will interpretation

Honors, Memberships, and Professional Activities

Completed Virtual ADR training conducted by the JAMS Institute, the training arm of JAMS.

Memberships and Affiliations

- Member, Alternative Dispute Resolution Section, Washington State Bar Association
- Past Chair, Executive Committee, Thomas T. Glover Mediation Program, Western Washington Bankruptcy Court, 2018–2019
- Mediator Panelist, Thomas T. Glover Mediation Program, Western Washington Bankruptcy Court

Selected Presentations

- Presenter, "Mediation Ethics" for the Thomas T. Glover Mediation Program for the U.S. Bankruptcy Court, Western District of Washington, Panel Mediators.

Selected Mediation Trainings Presentations

- Thomas T. Glover Mediation Program: Small Business Subchapter V Bankruptcy – U.S. Bankruptcy Court 2022
- Taking the Road Less Travelled in Your Mediation – International Academy of Mediators 2022
- Thomas T. Glover Mediation Program: What They Really Want – U.S. Bankruptcy Court 2022
- Advanced Attorney-Mediator Training & Fall CLE Seminar – Association of Attorney-Mediator 2022
- Society for Judgment and Decision Making Conference 2022

- Advanced Mediation and Advocacy Skills Institute – ABA 2021
- The Power of Mediation – U.S. Bankruptcy Court 2021
- Society for Judgment and Decision Making Meeting/Conference 2021
- Remote Mediation Before, During, and After (hopefully!) the Pandemic: Lessons Applicable Even for Those Eccentrics Who Return to In Person Mediation – U.S. Bankruptcy Court 2021
- Underneath the Hood: Bankruptcy Mediation Nuts, Bolts & A Few War Stories – U.S. Bankruptcy Court 2020
- Chasing Excellence in Mediation: Tactics, Strategies and Dialogue With Attorney Advocates and Mediators, Straus Institute for Dispute Resolution – Pepperdine University School of Law, 2019
- 24th Annual Dispute Resolution Conference – UW School of Law 2018
- Six Principles You Can Use for Successful Mediation 2017
- Implicit Bias for Attorneys and Dispute Resolution Professionals 2017
- 23rd Annual Dispute Resolution Conference – UW School of Law 2017
- Mindfulness for Mediators Workshop 2016
- Asking the Right Questions, a Guide for Mediators – KCBA 2015
- Reality Testing: Micro and Macro – KCBA 2015
- Mediator Bootcamp, Straus Institute for Dispute Resolution, Pepperdine University School of Law, 2014
- Strategic Negotiation Skills, Straus Institute for Dispute Resolution, Pepperdine University School of Law, 2013
- Mediating the Litigated Case, Straus Institute for Dispute Resolution, Pepperdine University School of Law, 2012

Background and Education

- Anglin Flewelling Rasmussen Campbell & Trytten, LLP, Seattle Office Managing Partner for the Pacific Northwest Region, 2016–2019
- Marshall & Weibel, P.S. (fka Bishop & Lynch), 1997–2016
 - Shareholder, 2004–2016
- Criminal defense in Charleston, South Carolina, and Port Orchard, Washington, handling misdemeanors and felonies, 1993–1996
- J.D., with Honors, Florida State University College of Law, 1993
- A.B., University of Michigan, 1990

"Ann is a great mediator who handles difficult personalities and positions with ease and who is thorough in her analysis and commitment to achieving resolution. She does the mental work before a mediation and during the mediation works with each room to get the parties to consider new angles and ultimately reach a settlement. When mediating a recent case with challenging personalities and settlement numbers in different stratospheres, she continued to work through the process ultimately achieving a settlement due to her creativity and

persistence. Highly recommend!"

-Partner, Seattle Law Firm

"With well-honed analytical skills, thorough advance case preparation and tactful diplomacy, Ann Marshall, Esq. is a premier mediator with determined persistence. Significant cases can be entrusted to her with confidence."

-Attorney, Redmond, Washington

"Ann is a terrific mediator, one who listens carefully and considerately and works to craft creative and reasonable settlements. Ann's humor, calm demeanor, and reasoned approach goes a long way, particularly with emotionally-charged cases. A chance to work with Ann is a highlight and I recommend her without question."

-Attorney, Seattle Law Firm, Litigation and Employment Practice

"Ann is my first choice to mediate any real property dispute. After many years of working on both the same side as Ann, and opposite her, I know she will always be fully versed in all the factual and legal intricacies of the case. She often successfully negotiated settlements for cases I was sure would go to trial. I don't know anyone better qualified to mediate a complex and contentious matter."

-In-House Counsel, Insurance Company

"Ms. Marshall was able to resolve a case with complex law and considerable emotion. Highly recommend for any complex financial cases and large claims."

-Partner, Seattle Area Firm with a Consumer Protection National Practice

“Ann is great at balancing parties’ interests and personalities, and finding the common ground. Coupled with the fact that she’s an expert in analysis and assessment in complex matters, she’s a pro at getting to resolution.”

-In-House Claims Counsel

"Ann is smart, focused, and pragmatic. Highly recommended."

-Partner, Pacific Northwest Consumer Protection and Bankruptcy Law Firm with a National Practice

"Ann is a master at creating efficient solutions to solve complex real estate problems. The depth and breadth of her expertise is immeasurable. But the secret to Ann’s success as a mediator lies in her delightful humor and artful way of leading parties to agreement."

-Counsel, National Title Insurance Company

“Absolutely top notch work from her and her staff. We will be referring her, and will absolutely use her in the future.”

-Seattle Real Estate Attorney

"Ann is able to quickly and comprehensively assess and pinpoint the issues in dispute, and utilize a practical and realistic approach to assist parties in solving them. Ann has diverse and wide-ranging real estate experience which is invaluable in ensuring efficient and successful resolutions in both complicated and straightforward transactions and litigation matters. I appreciate Ann’s willingness to bring calm and reason to difficult parties, and her tenacity to push parties to workable settlements. I highly recommend Ann as a mediator."

-Partner, Seattle Area Law Firm

I have sought Ann's assistance with two contentious real estate disputes in the past year. I suggested Ann in both mediations given her extensive background experience with complex real estate matters. She has not disappointed. In addition to her expertise, Ann is relatable, pragmatic, and works tirelessly to help parties resolve their cases. Both of my matters appeared to be heading to trial until we were able to mediate. Ann devoted significant time and energy, including staying involved several weeks after one of the mediations, to help us reach settlement in both matters. I would not hesitate to recommend Ann for any mediation, especially those involving real estate issues.

-Shareholder, Bellevue, Washington, Real Estate & Construction

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