

# JOHN G. SCHULTZ

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John has been a leader in the legal community for decades. Fervently working on their behalf, John has successfully achieved dozens of verdicts and settlements of more than several million dollars each.

The Tri City Herald has called John the “leading litigator” in Southeastern Washington

John’s commitment to the law has earned him the distinguished preeminent “AV” rating by Martindale Hubbell.

## **UNDERGRADUATE EDUCATION:**

School: Gonzaga University  
Course: Three years, pre-law  
Political Science  
Graduated: May, 1962 Bachelor of Arts.

## **LEGAL EDUCATION:**

School: Gonzaga Law School  
Graduated: May, 1963, Doctor of Jurisprudence  
Class Standing: 5th  
Scholarship: Awarded Farmers Insurance Group Scholarship for academic years 1961-1962 and 1962-1963. Several American Jurisprudence awards.  
Employment: Employed 30 hours per week while in law school.

## **LEGAL EXPERIENCE:**

Law Clerk for Judge Robert T. Hunter of the Washington State Supreme Court, one year 1963-1964.

Joined present firm (Leavy & Taber) on September 1, 1964. At present time senior

partner of Leavy, Schultz, Davis, P.S..

### **MEMBERSHIPS - RATING:**

Member of the Benton/Franklin Bar Association,  
Washington State Bar Association,

Martindale-Hubbell rating "AV" (since 1981).

### **ADMITTED TO PRACTICE:**

State of Washington - Washington State Supreme Court - September 9,  
1963

U.S. District Court - Western District Washington - June 3, 1964

U.S. District Court - Eastern District Washington - November 4, 1964

U.S. Court of Appeals - Ninth Circuit - March 17, 1977

U.S. Supreme Court - October 12, 1982

U.S. Court of Federal Claims – March 26, 2019

### **BAR ACTIVITIES:**

Benton/Franklin Bar Association - Secretary - 1965-66

WSBA Young Lawyers Committee 1966-69

WSBA Board of Examiners 1970-72

WSBA Court Rules and Procedures 1975-77

WSBA Disciplinary Board 1985-88

Benton/Franklin Bar Association - President - 1988-89

WSBA Computerization of the Law Committee 1989-92 - Chairman  
1991-92

WSBA Board of Governors 1989-1992

WSBA Resolutions Committee 1992-94 - Chairman - 1993-94

### **LAW RELATED ACTIVITIES:**

Member - Law Council, Gonzaga University School of Law (1980-1988);  
Member - Board of Advisors, Gonzaga University School of Law (1988 to  
present - currently emeritus status).

Member - Statute Law Committee (1993 - 2005). Vice Chairman (1995 -  
1999). Chairman (1999 - 2005). The Statute Law Committee is the

governing board of the Office of the Code Reviser which serves as the bill drafting arm of the Legislature and the codifier and publisher of the Revised Code of Washington (RCW) and the Washington Administrative Code (WAC).

Recognition Awards - Benton Franklin Legal Aid Society - 2002 - 2015

## **PUBLICATIONS - SEMINARS - TEACHING:**

"Computerization of the Law - The Future is Now" - published by Gonzaga University in "The Lawyer" - summer issue 1992.

"Computerized Legal Research" - Columbia Basin College - December 4, 1992.

Seminar presentations at several C.L.E. seminars on computer or trial law topics.

Instructor - City University - M.B.A. program - 1997-99 - course entitled: "Legal Systems in a Global Economy." The course is the study of international law.

Adjunct faculty - Gonzaga University - Gonzaga-in-Florence - Business Law - Fall semester - 2000

## **MISCELLANEOUS:**

Licensed private pilot, instrument rated.

PADI - Open Water Diver (SCUBA).

Community affairs: Pasco Chamber of Commerce - president 1974-1975;

Member, Pasco Kiwanis Club (1968 to present)

## **REPORTED APPELLATE CASES:**

The following cases are the reported opinions of cases handled by John G. Schultz.

### Washington Supreme Court:

Anthis v. Copeland, 173 Wn.2d 752, 270 P.3rd 574 (2012)

Ochoa v. Delanoy, 156 Wn.2d 1021, 132 P. 3d 735 (2006)

Rogers Potato Service v. Countrywide Potato, LLC, 152 Wn.2d

387, 97 P.3rd 745 (2004)

Lybbert v. Grant County, 141 Wn.2d 29, 1 P.3rd 1124 (2000)

Frank Tiegs v. Boise Cascade, 135 Wn.2d 1, 954 P.2d 877 (1998)

Safeco Ins. Co. v. Barcom, 112 Wn.2d 575, 773  
P.2d 56 (1989)

Elovich v. Nationwide Ins. Co., 104 Wn.2d 543,  
707 P.2d 1319 (1985)

Mellor v. Chamberlin, 100 Wn.2d 643, 673 P.2d 610 (1983)

Harris v. Hornbaker, 98 Wn.2d 650, 658 P.2d 1219  
(1983)

Kennedy v. Sundown Speed Marine, Inc., 97 Wn.2d  
544, 647 P.2d 30 (1982)

Esmieu v. Schrag, 92 Wn.2d 535, 598 P.2d 1366  
(1979)

Esmieu v. Hsieh, 92 Wn.2d 530, 598 P.2d 1369  
(1979)

Esmieu v. Schrag, 88 Wn.2d 490, 563 P.2d 203  
(1977)

Ivan's Tire Serv. Store, Inc. v. Goodyear Tire & R.  
Co., 86 Wn.2d 513, 1976-1 Trade Cases P. 60, 797,  
546 P.2d 109 (1976)

El Coba Co. Dorm., Inc. v. Franklin Cty. Pub. Util.  
Dist., 82 Wn.2d 858, 514 P.2d 524 (1973)

Omstead v. Brader Heaters, Inc., 80 Wn.2d 720,  
497 P.2d 1310 (1972)

Hunt v. Occidental Life Insurance Company, 68  
Wn.2d 394, 413 P.2d 349 (1966)

Merrick v. Sears, Roebuck & Co., 67 Wn.2d 426,  
402 P.2d 960 (1965)

Washington Court of Appeals:

Ochoa v. Delanoy, 128 Wn App 165, 114 P. 3<sup>rd</sup> 692 (2005)

Rogers Potato v. Countrywide Potato, 119 Wn App 815, 78 P. 3<sup>rd</sup> 1163 (2003)

Richardson v. Cox, 108 Wn App 881, 26 P. 3<sup>rd</sup> 970 (2001)

Smith v. Skone & Conners, 107 Wn App 199, 26 P. 3<sup>rd</sup> 981 (2001)

Carlson v. Sharp, 99 Wn. App. 324, 994 P.2d 851 (2000)

Lybbert v. Grant County, 93 Wn. App. 627, 969 P.2d 1112 (1999)

Hansen v. Horn Rapids O.R.V. Park, 85 Wn. App. 424, 932 P.2d 724 (1997)

Hamilton v. Arriola Bros, 85 Wn. App 207, 931 P.2d 925 (1997)

Tiegs v. Boise Cascade Corp., 83 Wn. App. 411, 922 P.2d 115 (1996)

Carlyle v. Safeway Stores, 78 Wn. App. 272, 896 P.2d 750 (1995)

Copier Specialists, Inc v. Gillen, 76 Wn. App. 771, 887 P.2d 919 (1995)

Shows v. Pemberton, 73 Wn.App. 107, 868 P.2d 164 (1994)

Sunland Investments, Inc. v. Graham, 54 Wn.App. 361, 773 P.2d 873 (1989)

Knight v. American Nat. Bank, 52 Wn.App. 1, 756 P.2d 757 (1988)

Safeco Ins. Co. v. Barcom, 49 Wn.App. 903, 746 P.2d 1226 (1987)

Rottinghaus v. Howell, 35 Wn.App. 99, 37 UCC Rep.Serv. 42, 666 P.2d 899 (1983)

Mellor v. Chamberlin, 34 Wn.App. 378, 661 P.2d 996 (1983)

Rathvon v. Columbia Pac. Airlines, 30 Wn.App. 193, 633 P.2d 122 (1981)

Massingale v. Northwest Cortez, Inc., 27 Wn.App. 749, 30 UCC Rep.Serv. 909, 620 P.2d 1009 (1980)

Mueller v. Staples & Son Fruit Co., Inc., 26  
Wn.App. 166, 611 P.2d 801 (1980)

Hansen v. Hansen, 24 Wn.App. 578, 602 P.2d 369  
(1979)

Nationwide Mut. Ins. Co. v. Kelleher, 22 Wn.App.  
712, 591 P.2d 859 (1979)

Esmieu v. Hsieh, 20 Wn.App. 455, 580 P.2d 1105 (1978)

Poe v. Sheeley, 19 Wn.App. 833, 578 P.2d 203  
(1978)

Bradley v. Maurer, 17 Wn.App. 24, 560 P.2d 719  
(1977)

Fox v. Groff, 16 Wn.App. 893, 559 P.2d 1376 (1977)

Esmieu v. Schrag, 15 Wn.App. 260, 548 P.2d 581  
(1976)

Ivan's Tire Serv. Store, Inc. v. Goodyear Tire & R.  
Co., 10 Wn.App. 110, 1973-21 Trade Cases P. 74,  
851, 517 P.2d 229 (1973)

Hulse v. Driver, 11 Wn. App. 509, 524 P.2d 255 (1974)

El Coba Co. Dorm., Inc. v. Franklin Cty. Pub. Util.  
Dist., 8 Wn.App. 28, 82 L.R.R.M. (BNA) 2524, 70  
Lab.Cas. P. 52, 976, 503 P.2d 1082 (1972)

Nutley v. Gregory, 6 Wn.App. 576, 494 P.2d 1384  
(1972)

Omstead v. Brader Heaters, Inc., 5 Wn.App. 258,  
487 P.2d 234 (1971)

McCartney v. Old Line Insurance Co. of America, 3  
Wn.App. 92, 472 P.2d 581 (1970)

9th Circuit Court of Appeals:

Keystone Fruit Marketing, Inc. v. Brownfield, 352 Fed App  
169, 2009 WL 3651814 (2009)

Olson v. Federal Crop Insurance Corp., 334 Fed App 834,  
2009 WL 1638652 (2009)

Keystone Fruit Marking, Inc. v. Brownfield, 318 Fed App  
450, 2008 WL 4107318 (2008)

Contractors Equipment Maintenance Col, Inc., 150 Fed App  
585, 2005 WL 203307 (2005)

Hopper v. City of Pasco, 241 Fed.3rd 1067 (2001)

Anderson v. Aurotek, Fed. Sec. L. Rep. P 92, 377, 3  
Fed.R.Serv.3d 177, 774 F.2d 927 (1985)

Public Utility Dist. No. 1 of Franklin County v. Big  
Bend Elec. Co-op., Inc., 618 F.2d 601 (1980)