



**Daniel L. Duyck**  
Attorney at Law

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### **Professional Experience**

Mr. Duyck's practice focuses on civil litigation. In the courtroom, he has represented a broad range of clients, both individuals and corporations, with a wide variety of legal problems. Many of his clients are in the construction industry and he frequently advises clients with respect to construction contracts, real estate development, business formation and employment issues. Prior to co-founding Whipple & Duyck, P.C., Mr. Duyck was leader of the multi-disciplinary construction group for one of Portland's largest law firms. He also applies his background in agriculture, education and insurance to analyze and resolve disputes related to these industries. Mr. Duyck frequently puts his education background to work by speaking to and writing articles for industry and legal education groups.

### **Professional & Community Activities**

Mr. Duyck participates in various construction events, including events sponsored by the Associated General Contractors, Associated Builders and Contractors, and Construction Financial Management Association.

Mr. Duyck is an active member in a number of bar associations. In Oregon, he is a member of the Oregon State Bar, including its Construction Law Section and Business Litigation Section. In Washington, Mr. Duyck is a member of the Washington State Bar, including its Litigation and Construction Law Sections.

He is an active member of both the Oregon State University and Lewis & Clark College alumni communities.

### **Representative Cases**

- Construction Law: Represent owners, architects, engineers, contractors, subcontractors, suppliers and developers as to a wide variety of legal issues, whether negotiations or litigation, associated with construction contracting, including change orders, payment, delay, construction defect, liquidated damages clauses, limitation of liability clauses, mediation and arbitration clauses, and venue clauses.
- Money Collection: Represent creditors and debtors with respect to the collection of money, including enforcement of contract rights, judgments, liens, security interests, and other claims to money through the use of lawsuits, foreclosures, payment plans and promissory notes, confessions of judgment with or without covenants not to execute and tolling agreements.
- Personal Injury: Represent businesses and injured persons with respect to injury resulting from automobile accidents, slip and falls, dog bites, defamation, and workplace accidents.
- Construction Defect Litigation: Represent owners, architects, engineers, contractors, subcontractors, suppliers and manufacturers in a wide variety of construction defect cases, including EIFS cases.
- Business & Real Estate Disputes: Represent business owners, property owners, developers, lenders, mortgage brokers, buyers, sellers, landlords, tenants, and others with respect to various business and real estate disputes, including business dissolutions, sale of faulty machinery, enforcement of CCRs, adverse possession, specific performance of real estate contracts, commercial leases, evictions, affordable housing contracts, and Truth in

Lending Act and Real Estate Settlement Practices Act complaints.

- Construction Liens and Bond Claims: Represent general contractors, subcontractors, material suppliers and owners with respect to claims of construction lien on private construction projects and bond claims on public projects.
- Insurance Coverage: Represent insurance companies and policyholders with respect to a broad range of insurance coverage issues, including coverage for class action lawsuits, consumer complaints and business torts.
- Professional Negligence: Prosecute and defend claims of professional negligence against architects, engineers, geotechnical consultants and residential dwelling inspectors.
- Bid Protests: Represent private bidders with respect to government awards of construction, procurement, and personal services contracts.
- Maritime Claims: Represent vessel owners by enforcing charter agreements, maintaining lawsuits for charter hire and repair of damaged vessels, arresting vessels and defending Jones Act maritime injury claims.
- Agricultural Law: Represent a wide variety of agricultural and related interests, including prosecution and defense of agricultural, timber and fishermen's liens and enforcement of rights under the Plant Variety Protection Act.
- Education: Represent private schools and their staff against claims made by parents and students.
- Injunctive Relief: Represent clients with a need for immediate relief by obtaining temporary restraining orders, preliminary injunctions and permanent injunctions.
- Forums: Represent clients in a variety of forums, including Oregon and Washington state courts, Oregon and Washington (Western District) federal courts, bankruptcy court, admiralty, arbitration, mediation, Construction Contractors Board, and local governmental bodies.

## Professional Memberships

- Oregon State Bar: State and Federal Courts, Litigation Section, Construction Law Section (Executive Committee), formerly a member of the Agricultural Law Section (past board member for three years), Multnomah Bar Association (Judicial Liaison Committee), and Washington County Bar Association.
- Washington State Bar Association: State and Federal Courts (Western District), Litigation Section, and Construction Law Section.

## Education

- Oregon State University, Bachelor of Science degree, Mathematics Education (1988)
- Northwestern School of Law, Lewis & Clark College, Juris Doctor degree (1997); Associate Editor, Law Review
- Insurance Institute of America, Associate of Loss Control Management (1993)

## Admitted to Practice

- Oregon State Courts
- Oregon Federal Courts
- Washington State Courts
- Washington Federal Court, Western District