

Lauren J. King

Principal

1111 Third Avenue
Suite 3000
Seattle, WA 98101

T 206.447.6286
F 206.749.1925
lauren.king@foster.com



Lauren handles complex litigation matters for a variety of clients around the country. She also advises companies and Native American tribes on technology transactions and operations, governance, and regulatory advice.

Lauren is a citizen of the Muscogee (Creek) Nation and her Native American law practice includes working with tribal clients on a number of regulatory and business issues. Her practice includes drafting and negotiating commercial agreements, including master services agreements governing a variety of subject matter, construction contracts, real estate transactions and other commercial matters. Lauren has also advised tribal clients regarding 8(a) matters, intellectual property issues, intergovernmental agreements, and related disputes. Lauren has extensive experience advising clients on sovereign immunity matters and Ex Parte Young considerations.

Lauren also litigates complex disputes involving tribes, including commercial disputes, treaty rights cases, and lawsuits and other disputes involving protection of sacred sites. Lauren co-chaired a five-and-a-half week Native American treaty fishing rights case on behalf of the Quileute in the Federal District Court for the Western District of Washington and successfully defended the trial victory in the 9th Circuit Court of Appeals and against a petition for certiorari in the United States Supreme Court. She has successfully represented tribal clients in a number of other disputes.

Services

Litigation
Commercial & IP
Transactions
Intellectual Property
Litigation
IP & Technology
Native American Law
Sports, Arts & Entertainment

Admissions

Washington, 2008
Oklahoma, 2016
U.S. District Court, Western
District of Washington, 2009
U.S. Court of Appeals for
the 9th Circuit, 2010
U.S. Supreme Court, 2018
Muscogee Creek Nation,
2015

Lauren's transactional business practice emphasizes software and other technology licensing, distribution and compliance. Her transactional experience includes drafting and negotiating services agreements, including master services agreements, SAAS, licensing, publishing, cross-marketing, distribution, localization, porting, QA, customer service and game development agreements. She advises clients regarding digital/virtual currency laws, proper terms of use/privacy policies and End User License Agreements. Lauren has negotiated several international licensing agreements. She also advises clients with respect to privacy and data security obligations under federal law and applicable state security, privacy and breach notification laws.

Education

J.D., University of Virginia Law School, 2008

- *Virginia Journal of Law and Technology*
 - Editor in Chief, 2007-2008
 - Articles Editor and Executive Editor, 2006-2007
- Preston Gates & Ellis National Minority Fellowship, 2006
- Bracewell & Giuliani Best Oralist, First-year Moot Court, 2006
- Native American Law Students Association, Vice President, 2007-2008

B.A., University of Washington (with distinction), 2004

Honors & Recognition

The Best Lawyers in America® Native American Law, 2018-present

Native American 40 Under 40, National Center for American Indian Enterprise Development, 2018

Rising Star, Native American Law, *Law360*, 2016

Rising Star, Washington Super Lawyers, 2013-2020

Washington State Bar Association Leadership Institute, Fellow, 2012

Professional Activities

American Bar Association, Member

Federal Bar Association of the Western District of Washington, Member, 2009-present

King County Bar Association, Member, 2010-present

Muscogee (Creek) Nation Bar Association, Member

Northwest Indian Bar Association, Member, 2008-present

- Board Member, 2011-2016

Northwest Tribal Court Judges Association

- Board Member
- Former Liaison to the National American Indian Court Judges Association

Seattle Indian Health Board, Board Member, 2017-2019

Washington State Bar Association, Member, 2008-present

- Indian Law Section, Chair, 2015-2016

Washington State Gambling Commission, Board Member, Appointed by Governor Jay Inslee, 2020-present

News

43 Attorneys Named 2021 *Best Lawyers in America*; 10 Named Best Lawyers: Ones to Watch
Foster Garvey Newsroom, 8.20.20

Lauren King Interviewed by Native News Online Regarding Supreme Court Decision
Native News Online, 7.20.20

11 Attorneys Named Washington Super Lawyers and Five Named Rising Stars
Foster Garvey Newsroom, 7.16.20

Lauren King Interviewed by This Land Podcast Regarding Supreme Court Decision
This Land - Crooked Media, 7.16.20

Lauren King Interviewed by Tulsa Radio Regarding Supreme Court Decision
Talk Radio AM 1170, 7.10.20

Lauren King Appointed to Washington State Gambling Commission
Foster Garvey Newsroom, 6.12.20

Seattle Indian Health Board Research Helps Create Government Task Force for Missing and Murdered American Indians and Alaska Natives
Foster Garvey Newsroom, 1.7.20

50 Foster Garvey Attorneys Named 2020 *Best Lawyers in America*
Foster Garvey Newsroom, 8.15.19

Muscogee (Creek) Nation Renews Lawsuit over Desecration of Hickory Ground Tribal Lands
Foster Garvey Newsroom, 6.10.19

32 Attorneys Named Super Lawyers and Eight Named Rising Stars
Foster Garvey Newsroom, 6.10.19

Lauren King Quoted in Associated Press Article About Muscogee Creek Nation Lawsuit
Associated Press, 6.5.19

Victory at the Supreme Court for Quileute and Quinault in Ocean Fishing Area Case
Foster Garvey Newsroom, 10.3.18

Speaking Engagements

"Tribal Sovereignty: *McGirt v. Oklahoma*," Oregon State Bar Indian Law Section
Panel Presentation
Virtual Event, 11.13.20

"Washington State's Human Health Water Quality Criteria Challenges," Tribal Water Law
Conference
Speaking Engagement
Virtual Event, 9.15.20

"Diminished boundaries, treaty rights, and effect of statehood," OSB Indian Law Section CLE:
Emerging Land Issues in Indian Country
Speaking Engagement
Eugene, OR, 10.25.19

"Intersection of Municipal Law and Indian Law," 62nd Annual WSAMA Fall Conference
Speaking Engagement
Walla Walla, WA, 10.3.19

"Tribal Treaty Rights and Hydropower," Hydropower Relicensing, The Seminar Group
Speaking Engagement
October 2019

"Millennials and The Judiciary: Who You Think They Are, Who They Really Are, and Why We
Should Care," Ninth Circuit Judicial Conference
Speaking Engagement
Spokane, WA, 07.22.19-07.25.19

"Treaties," The Sovereignty Symposium XXXII
Panel Discussion
Oklahoma City, OK, 06.05.19-06.06.19

2019 WSAMA Spring Conference
Speaking Engagement
Vancouver, WA, 4.25.19

44th Annual Indian Law Conference
Conference Planning Committee
Albuquerque, NM, 04.11.19-04.12.19

"Recent Cases Affecting Indian Tribes," 24th Annual Western Indian Gaming Conference &
Trade Show
Panel Discussion
El Cajon, CA, 02.10.19-02.13.19

"Recent Decisions: Tribal Water & Treaty Rights in the U.S. Supreme Court," 6th Annual
Advanced Conference on Tribal Water in California
Panel Discussion
Fanner, CA, 01.28.19-01.29.19

"Legal Roundtable," Rainier Club Legal Roundtable
Speaking Engagement
11.1.18

"Tribal Water Rights: Summary of Foundational Cases and the Recent Culverts Decision,"
American Water Rights Association Washington State Conference
Speaking Engagement
Seattle, WA, 10.16.18

"Developing Litigation Claims," 7th Annual Tribal Water Law Conference
Speaking Engagement
Scottsdale, AZ, 10.11.18-10.12.18

"Tribal Issues: Fishing Rights, Culverts and More," On the Edge of the World - Navigating
Environmental and Legal Challenges on the Washington Coast, Seattle University School of
Law
Speaking Engagement
Seattle, WA, 9.28.18

"Defined Terms of Federal Indian Law," 60th Annual Judicial Conference
Speaking Engagement
Yakima, WA, 9.24.18

"Land, Wind and Water," The Sovereignty Symposium XXXI
Speaking Engagement
Oklahoma City, OK, 06.06.18-06.07.18

"Hickory Ground: Alabama Homelands, Litigation and Cultural Preservation," Doing Business in Indian Country

Speaking Engagement

04.26.18-04.28.18

43rd Annual Indian Law Conference

Conference Planning Committee

Scottsdale, AZ, 04.05.18-04.06.18

"National Indian Gaming Litigation Update," Northwest Gaming Law Summit

Speaking Engagement

Seattle, WA, 12.1.16

"United State v. Washington," Continuing Learning and Education Seminar

Speaking Engagement

12.1.16

"The Concerns of the Judiciary - A Focus on Mutual Concerns of the State, Federal and Tribal Bench," The Sovereignty Symposium

Panel Discussion

Oklahoma City, OK, 06.08.16-06.09.16

"Economic Development and Judiciary Panels," Sovereignty Symposium

Speaking Engagement

6.1.16

"University of Washington School of Law," Indian Law Seminar

Speaking Engagement

March 2016

"Tales from the Cryptocurrency," Northwest Summit for Financial Professionals

Speaking Engagement

May 2014

"Special Presentation: Suing and Defending Tribal Governments," Suing and Defending Government, The Seminar Group

Speaking Engagement

May 2014

"New Developments in Online Gaming, Tribal Payday Lending Operations, and New Guidance on Tribal Economic Development Bonds," Tribal Sovereignty, Strategic Planning and Economic Development

Speaking Engagement

November 2013

"Website Audits: IP Issues, Terms of Use and Privacy Policies," King County Bar Association
Speaking Engagement
November 2013H

"Virtual Currency," Washington Interactive Network
Speaking Engagement
August 2013

"Protecting Native American Artists Through Intellectual Property and Non-Profit Law in
Washington," Washington State Bar Association Indian Law CLE
Speaking Engagement
May 2013

"Gaming Panel," ZINO Entertainment & Lifestyle Investment Forum
Speaking Engagement
April 2013

"Protecting Native Intellectual Property," Tribal Economic Development, Foster Pepper PLLC
Event
February 2013

Publications

"Millennials and the Judiciary: Working with the Newest Generation of Judicial Clerks and
Attorneys," Federal Magistrate Judges Association Bulletin
Federal Magistrate Judges Association Bulletin, September 2019

Indian Law
Washington Lawyers Practice Manual, 2009

Quarterly Northwest Legal Update
Federal Bar Association Indian Law Section Newsletter, 2013-2014

"Indian-Law," Washington Lawyers Practice Manual
King County Bar Association, 2009

Experience

Representative Work: Notable Victories

Skytec v. Logistic Systems. Successfully assisted in obtaining dismissal of case in 2018 based on discovery abuses by plaintiff in multimillion dollar commercial contract dispute in district of Puerto Rico.

United States v. Washington, Subproceeding 09-1. Successfully represented the Quileute Tribe in a six-year-long treaty fishing rights case in federal court. In that case, the Makah Tribe and

the State of Washington challenged Quileute's treaty fishing rights, seeking to reduce their fishing area from 40 miles offshore to 5-10 miles offshore. Quileute prevailed after a 23-day trial involving nine expert witnesses and 472 admitted exhibits relating to where Quileute fished in the Pacific Ocean in 1855, which establishes their treaty fishing rights. (2015)

Defeated three tribes' claims of treaty hunting rights in Quileute's territory. (2015)

Skokomish Indian Tribe v. Goldmark. Dismissal of case where Skokomish Tribe claimed treaty hunting rights in Quileute's territory. (2013)

Representative Work: Native American

Review of construction and related agreements for Quileute Tribe's reservation move to higher ground.

Represent Muscogee (Creek) Nation in litigation and related matters regarding protection of culturally and religiously significant tribal sites.

Advised Quileute Tribal Council on governance matters, including hunting and fishing regulations, indemnification agreements, ongoing negotiations in disputes with other entities and strategic litigation decisions.

Negotiated on behalf of the Quileute Tribe with federal, state and tribal entities, including the Department of Justice, National Oceanic and Atmospheric Administration, Washington Department of Fish and Wildlife and numerous northwest tribes.

Represented various tribes in issues relating to sovereign immunity, including Ex Parte Young suits.

Northwest Intertribal Court System – Drafted Indexing Services Agreement for publishing and indexing tribal court opinions online.

Hoh Tribe – Represented the Hoh Tribe in a 20-year halibut dispute regarding the appropriate allocation and management of halibut among 13 treat halibut tribes.

North American Indian Legal Services – Assisted in writing grant proposal for a study examining the conditions of confinement in Indian Country detention facilities.

Advised clients on government-tribal relations and legal obligations, including application of federal laws such as ERISA to tribal operations; taxation of services provided on tribal lands, including fire services and stormwater runoff services; tribal jurisdiction and sovereign immunity.

Represented various tribal clients in the drafting and negotiation of relevant portions of lease agreements, licensing agreements and other related business agreements.