Foster Garvey

Adrian Urquhart Winder

Principal | **Seattle** | **(she/her)**

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Overview

Adrian represents public and private clients in trial and appellate litigation, with a particular focus on real estate and municipal law.

Adrian is experienced in eminent domain and inverse condemnation matters and also advises her clients regarding the Public Records Act and Open Public Meetings Act, municipal government, and statutory, regulatory and constitutional law issues.

Areas of Focus

- Litigation
- Appellate Services
- Class Action Litigation
- Election and Political Law, Public Policy & Lobbying
- Eminent Domain & Inverse Condemnation
- Health Care
- Land Use & Development Permitting
- Ports
- Public Finance
- Public Records & Open Government
- Municipal Law
- Municipal Litigation
- Real Estate
- Real Estate, Land Use & Environmental

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- Education & School Districts
- Senior & Affordable Housing
- State & Local Government

Admissions

- Washington, 2006
- U.S. District Court, Eastern District of Washington, 2011
- U.S. District Court, Western District of Washington, 2009
- U.S. Court of Appeals for the 9th Circuit, 2011
- U.S. Court of Appeals for the 10th Circuit

Education

- J.D., University of Oregon School of Law, 2006
  - Order of the Coif
  - *Oregon Law Review*, Managing Editor
  - Legal Research & Writing Program, Teaching Assistant
  - Moot Court Board, Business Officer
  - ABA National Appellate Advocacy Competition
- B.A., University of Washington, 2003
  - *Phi Beta Kappa Honor Society*

Honors & Recognition

- *The Best Lawyers in America®*, Eminent Domain and Condemnation Law, 2024-present
- Rising Star, Washington Super Lawyers list, 2014-2016

Professional Activities

- Association of Washington Housing Authorities
- Federal Bar Association
- Tacoma-Pierce County Bar Association
- Washington Public Ports Association
- Washington State Association of Municipal Attorneys

Pro Bono Activities

- Family Violence Appellate Project (FVAP)

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  - Represented survivor in defending against multiple appeals filed by ex-spouse and successfully upholding trial court's dismissal in first appellate decision under Washington's Abusive Litigation Act, ch. 26.51 RCW
  - Represented survivor in defending against appeal by ex-spouse in dissolution proceedings, where survivor had suffered a nearly 30-year abusive relationship
  - Amicus curiae counsel on behalf of FVAP in support of survivor regarding the legal distinctions between criminal no-contact orders, civil orders of protection, and family law restraining orders
  - Moot court panelist and mentor to FVAP attorney in successfully pursuing appeal from order that violated RCW 26.09.191 and survivor's First Amendment rights
  - Representing survivor from an arranged marriage to an older man in defending against his appeal of decree of dissolution and parenting plan
- Pro Bono Panel, United States District Court for the Western District of Washington
  - Appointed by the court to represent incarcerated individual in pursuing claims under the Freedom of Information Act (FOIA)

Experience

Representative Matters: Appellate Decisions

- *Public Utility District No. 1 of Okanogan County v. State*, 182 Wn.2d 519 (2015): represent public utility district in affirming authority to condemn easements over State lands for transmission corridor project
- *Admasu v. Port of Seattle*, 185 Wn. App. 23 (2014), *review denied*, 183 Wn.2d 1009 (2015): represent municipal airport operator in dismissal of putative class action seeking damages and injunctive relief based on alleged inverse condemnation, nuisance and trespass caused by airport operations
- *McDonnell v. City and County of Denver*, 878 F.3d 1247 (10th Cir. 2018): represent Airports Council International - North America as amicus curiae in reversal of preliminary injunction on First Amendment challenge to airport permit policies governing protests and demonstrations
- *Lewington v. Parsons*, 193 Wn. App. 1044 (unpublished), *review denied*, 186 Wn.2d 1012 (2016): Represent property owner in obtaining a favorable decision on interpretation and application of neighborhood restrictive covenant
- *Vern F. Sims Family Ltd. Partnership v. City of Burlington*, 194 Wn. App. 1048 (2016) (unpublished): represent Northwest-based global retail developer in litigation regarding latecomer agreement for street improvement project, affirming dismissal of claims under LUPA
- *McCleary v. State of Washington*, 173 Wn.2d 477 (2012): represent petitioners in trial and appellate litigation to enforce State Constitution's public education clause, including Washington Supreme Court enforcement and contempt proceedings

Other Representative Matters

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- Represent port district in multiple matters involving claims of alleged inverse condemnation, nuisance and trespass caused by airport operations and overflights
- Represent private Seattle-based real estate developer, Northwest-based food and drug retailer, and other business and individual property owners in multiple condemnation actions related to Sound Transit's East Link and Lynnwood Link Extension Light Rail Projects
- Represent port district in dismissal of superior court litigation to vacate lease of cargo terminal, reversal of city interpretation and notice of violation of shoreline substantial development permit, and in responding to associated public records requests
- Represent and advise Class 1 railroad in matters involving quiet title, adverse possession, prescriptive easement, federal preemption, franchises and eminent domain
- Represent city in multiple condemnation matters for downtown flood improvement project and associated Public Records Act litigation
- Represent multiple cities in condemnation matters to acquire property rights for street improvement and recreational trail projects
- Represent major public institution in litigation under the Open Public Meetings Act
- Represent major public institution in condemnation of property necessary for campus expansion
- Represent housing authority in federal class action, settlement and settlement administration regarding public housing utility allowances
- Represent private developer in challenge of preliminary plat application and associated environmental impact statement under SEPA
- Represent property owner at trial court and appellate levels in successful action to quiet title to rights under easement
- Represent property owners in utility easement acquisitions by local energy utility
- Represent Northwest-based food and drug retailer in condemnation litigation concerning shopping center master lease and subleases
- Represent port district on matters involving use of airport property, FAA compliance issues and condemnation
- Advise public agencies regarding the development and adoption of policies for disclosure of public records and records retention; provide mandated training in open public meetings and public records; advise regarding responses to public records requests; and represent in litigation as needed

News & Insights

News

71 Foster Garvey Attorneys Selected to the 2027 Best Lawyers® Lists; Six Named 'Lawyer of the Year'

08.20.26

71 Foster Garvey Attorneys Recognized Among the 2026 Best Lawyers in America; Paul Trinchero Named 'Lawyer of the Year'

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08.21.25

Foster Garvey's Summer Associate Project with Family Violence Appellate Project

05.13.25

Foster Garvey's Pro Bono Efforts in a Landmark Washington Supreme Court Case

02.25.25

65 Foster Garvey Attorneys Selected to The Best Lawyers in America® 2025, Three Named 'Lawyer of the Year'

08.15.24

Adrian Urquhart Winder Receives 2024 Pro Bono Publico Award

08.05.24

Supporting FVAP to Shield Domestic Violence Survivors and Their Children From Abuse

06.13.24

Foster Garvey Wins Pro Bono Cup for Contributions to the Family Violence Appellate Project

05.23.24

Adrian Winder's Service to a Domestic Abuse Survivor

10.19.23

57 Foster Garvey Attorneys Recognized Among the 2024 Best Lawyers in America; Two Portland Attorneys Named 'Lawyer of the Year'

08.17.23

Events

PRA Deep Dive: Contracting with Public Records in Mind

05.27.26

19th Annual Fall Real Estate Conference

10.15.25

WSAMA 2025 Fall Conference

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10.15-10.17.2025

“HR Checkup – Best Practices for Public Employers in 2025,” Policy to Practice Educational Series, Session 3

02.12.25

The 18th Annual Fall Real Estate Conference

10.25.24

AWC Elected Officials Essentials 2023

12.09.23

“Railroad Rights-of-Way & Condemnation,” The Seminar Group’s 13th Annual Cutting-Edge Issues in Condemnation

11.01.23

“Public Records Act and Open Public Meetings Act: Recent Legislation and Case Law,” Washington Public Ports Association Spring Meeting

05.18.23

WASBO 2023 Annual Conference

5.3.23 – 5.5.23

“Ripped from the Headlines: Ethics for the Government Lawyer,” WSAMA’s 2023 Spring Conference

04.20.23

“Legal Session: Special Valuation Issues,” Appraisal Institute Seattle Chapter Fall Conference

10.06.22

“Thank You For Your Feedback: Managing Public Comments and Complying With the OPMA’s New Requirements,” 2022 WSAMA Fall Conference

09.29.22

"Public Meetings: Legislative Update," Washington Public Ports Association Spring Meeting

05.05.22

“Rail and Utility Corridors,” The Seminar Group’s 10th Annual Understanding Public Easements

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05.05.22

“Condemnation and the Priority of Government Rights,” The Seminar Group’s 11th Annual Cutting-Edge Issues In Condemnation

10.29.21

"Council Meetings in the COVID and Post-COVID Era," Washington State Association of Municipal Attorneys, Fall Conference

10.06.21

"Public Records Act Updates: Recent Legislation and Caselaw," Washington Public Ports Association, Summer Legal Committee Meeting

06.30.21

"Public Records Requests and Union Information Requests: Personnel and Employment Investigation Records," Washington State Association of Municipal Attorneys, Spring Conference

04.22.21

“Public Records Act Update,” Washington Public Ports Association Fall CLE Seminar

11.19.20

"Special Benefit Considerations in Eminent Domain," The Seminar Group’s 10th Annual Cutting-Edge Issues in Condemnation

09.10.20

“OPMA Primer - How to Avoid Common Pitfalls,” MRSC Webinar

02.12.20

"Public Records Act Update," Association of Washington Housing Authorities

02.06.20

“Getting Personal About Personal Records,” 38th Annual Civil Service Conference

09.09-09.10.2019

“Managing Property Acquisition with Eminent Domain,” 75th Annual WASBO Conference

05.08.19

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"Condemnation: Particular Practices and Processes – Trends and Updates," 2019 WSAMA Spring Conference

04.25.19

"Open Government Update: Executive Session to Discuss Real Estate Transactions, Updating Your Policies, and New State Reporting Requirements," Association of Washington Housing Authorities Spring Meeting

05.17.18

"McDonnell v. City and County of Denver: A Case Study on Regulating Speech in the Nonpublic Forum," Washington State Association of Municipal Attorneys 61st Annual Spring Conference

05.03.18

"Executive Session to Discuss Real Estate Transactions: Columbia Riverkeeper v. Port of Vancouver USA," 60th Annual WSAMA Fall Conference

10.12.17

"Records Retention and Destruction: Electronic Records," Washington Housing Authorities Accounting Professionals Annual Conference

09.01.17

"Open Government Update," Washington Public Ports Association Spring Meeting

05.18.17

"Records Retention and Destruction: Why Records Management Matters and What to do About it," Association of Washington Housing Authorities Spring Meeting

04.01.17

Public Records & Open Meetings, Law Seminars International

03.31.17

"Telford Issues: When is a Private Agency the Functional Equivalent of a Public Agency," Law Seminars International

03.01.17

"Aviation Legal Update: Policy on the Non-Aeronautical Use of Airport Hangars," Washington Public Ports Association Aviation Committee Fall Meeting

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11.16.16

"When Is It Too Personal? PRA Update On Personnel Records," 35th Annual Civil Service Conference

09.12.16

"Open Government Update: Per Page Penalties, 'Commercial Purpose' Requests, and Other Developments," Washington Public Ports Association Spring Meeting

05.12.16

"Aviation Legal Trends: Proposed FAA Rules on Small Unmanned Aircraft Systems (Drones)," Washington Public Ports Association Fall Aviation Committee Meeting

11.01.15

"Open Public Meetings Act Training," Verdant Health Board of Commissioners Annual Retreat

06.01.15

"Lobbying Rules for Housing Authorities," Association of Washington Housing Authorities Spring Meeting

04.30.15

"Mandatory Reporting Requirements for Child Abuse," Association of Washington Housing Authorities Winter Meeting

02.05.15

"Recent Legal Developments for Airports," Washington Public Ports Association Fall Aviation Committee Meeting

12.10.14

"Public Records Act and Open Public Meetings Act Update," Washington Public Ports Association Fall Legal Committee Meeting

12.10.14

"Public Records Act Training," Association of Washington Housing Authorities Webinar

11.20.14

"Next Up in McCleary and What It Means for Districts," Washington State School Directors' Association Annual Conference

11.01.14

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33rd Annual Civil Service Conference

09.22.14

“Open Public Meetings Act Training,” Association of Washington Housing Authorities Webinar

08.01.14

“Recent Legal Developments for Airport Managers,” Washington Airport Management Association 2014 Conference

05.22.14

“Public Records Act: Tenant and Employee Privacy,” Association of Washington Housing Authorities Spring Meeting

04.01.14

“Like a Good Neighbor – Planning For and Defending Airport Noise Claims,” Washington Public Ports Association Fall Aviation Committee Meeting

11.01.13

“Public Records Act: Key Lessons Learned (and Some Reminders),” Washington Public Ports Association Continuing Legal Education Seminar: Environmental Compliance and Increased Public Scrutiny

11.01.13

“Like a Good Neighbor – Planning For and Defending Airport Noise Claims,” Washington Airport Management Association Spring Conference

05.01.13

Legal Alerts

Washington Supreme Court Sets New Criteria for Closing Public Records Requests

04.15.24

Washington Open Public Meetings Act Update

06.09.22

January 17 Public Records Act Injunction Against Hundreds of School Districts, Hospital Districts, Cities, Etc.

01.21.20

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SEIU and Freedom Foundation Continue Legal Battle Over “Affected” Third Party Status

09.05.19

Consulting Attorney Need Not Formally Appear in Litigation for Fees to be Recoverable Under Washington Public Records Act

04.17.19

SEIU and Freedom Foundation Continue to Battle Over Public Records in the Washington Court of Appeals

09.26.18

Washington Court of Appeals Holds That Attorney Acting As Her Client's Agent in Public Records Act Request Could Not Individually Sue Agency for PRA Violations

08.31.18

Washington Supreme Court Holds Trade Secrets Not Categorically Excluded From Disclosure Under State Public Records Act, More Stringent Injunction Standard Applies

06.27.18

Death-Scene Images of Kurt Cobain Exempt from Disclosure Under Washington's Public Records Act

05.21.18

Washington Court of Appeals Holds Jail Records Exemption Extends to Jail Recordings and Related Records Even if Created or Held by Another Agency

04.03.18

New Public Records Act Legislation Taking Effect on July 23, 2017 - Are Your Policies and Practices Up-To-Date?

06.30.17

New FAA Drone Regulations Take Effect August 29, 2016: The New Rules and What They Could Mean for Industry

08.29.16

Court of Appeals Reaffirms Public Utility District Authority to Condemn State School Trust Lands

05.10.13

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Court Enforces Avigation Easements, Dismisses Claims Based on Flights on Third Runway at Seattle-Tacoma International Airport

03.05.13

Court Denies Certification of Alleged Takings Class Action Based on Noise from Third Runway at Seattle-Tacoma International Airport

06.07.12

Publications

How the Open Public Meetings Act Evolved During the Pandemic and How to Comply Now

02.16.23

Washington State Bar Association Public Records Act Deskbook: Washington's Public Disclosure and Open Public Meetings Laws, Chapter 22 (Open Public Meetings Act)

01.01.19

Washington State Bar Association Civil Procedure Deskbook, Chapters 20 and 21, 2014 edition

01.01.14

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