



**MARY RE KNACK**  
206.442.1312  
rknack@omwlaw.com

March 24, 2025

**VIA EMAIL ONLY**

Snohomish County Council  
c/o Bridget Casey ([Bridget.Casey@co.snohomish.wa.us](mailto:Bridget.Casey@co.snohomish.wa.us))  
Chief Civil Deputy  
Snohomish County Prosecutor's Office  
3000 Rockefeller Avenue, M/S 504  
Everett, Washington 98201

Re: Request for Waiver of Conflict between Lori Priest and Snohomish County with Respect to  
Litigation

Dear Snohomish County Council:

Ogden Murphy Wallace, PLLC ("OMW") has been engaged by Snohomish County, pursuant to a Contract for Special Services, to provide legal advice and training about the mandatory reporting requirements under the Medicare, Medicaid and SCHIP Extension Act and reimbursement obligations under the Medicare Secondary Payer Act (MSP), since 2018. The need for these services has arisen intermittently. The work we provide is a very limited specialized area of practice that assists the County in defending personal injury matters involving a Medicare beneficiary.

William Fuld, formerly with Karr Tuttle Campbell has joined OMW. Mr. Fuld represents Lori Priest in the matter of *Priest v. Crystal Soda Blast, LLC*, et al. - Snohomish County Superior Court Case No. 23-2-03951-31. Snohomish County is listed as one of six Defendants, including multiple sub-contractors who were working on the Snohomish County Courthouse remodel where Ms. Priest was injured. It is our understanding that the County tendered the claim to a contractor, and that contractor accepted the tender and is defending the County in the case. We further understand that John Butler at Preg O'Donnell is the attorney representing the County in the matter. The Plaintiff in this matter is not a Medicare beneficiary.

By this letter OMW requests Snohomish County consent to OMW's representation of Lori Priest ("Priest") in the above captioned matter.

OMW's limited representation of Snohomish County with respect to MSP issues is unrelated to the work OMW proposes to perform for Priest and we do not believe there is anything we currently know or that we would learn in either matter that would materially impact our representation of either Snohomish County or Priest.

As attorneys, our rules of professional conduct establish certain duties attorneys owe to their clients, among them the duties of loyalty and confidentiality.

Under Rule 1.7 of the Rules of Professional Conduct (“RPCs”), a lawyer may not represent a client if the representation of that client will be directly adverse to, or may be materially limited by the lawyer’s responsibilities to another client, unless the lawyer reasonably believes that the lawyer will be able to provide competent and diligent representation to each affected client, the representation is not prohibited by law, and the representation does not involve the assertion of a claim by one client against another client represented by the lawyer in the same litigation or other proceeding. Additionally, each affected client must provide informed consent to the representation in writing, following authorization from the other client to make any required disclosures.

Due to our representation of Snohomish County, our proposed representation of Priest on an unrelated matter could be considered a conflict of interest under the Rules of Professional Conduct, but we reasonably believe that our representation of Snohomish County will not affect our ability to represent Priest and *vice versa*. Again, our proposed representation of Priest is wholly unrelated to our representation of Snohomish County.

Under Rule 1.6 of the Rules of Professional Conduct, a lawyer shall not reveal confidences or secrets relating to the representation of a client without the prior written consent of the client, unless disclosure is impliedly authorized in order to carry out the representation.

We do not anticipate obtaining any confidential information that would have any relevance in our representation of either party. For instance, none of the information we have or expect to obtain in connection to our representation of Snohomish County should have any relevance to our proposed representation of Priest. Nor is there any information that we anticipate gaining in connection with our representation of Priest that is expected to have any relevance to the work we provide Snohomish County.

In summary, despite the conflict of interest posed with our representation of Snohomish County and proposed representation of Priest, we reasonably believe that we will be able to provide competent and diligent representation to both parties in this current and any future unrelated matters.

Further, we are unaware of any law or regulation that would prohibit our representation of Snohomish County as described. Finally, by this and a similar message to Priest, we are seeking the informed consent of both Snohomish County and Priest.

This letter discloses to you the facts of which we are presently aware in connection with this potential conflict. If, however, you need additional information, please let us know and we will promptly provide it. If you believe any statements of fact or analysis herein to be incorrect in whole or in part, please let me know immediately.

I would be happy to discuss this matter with you if you have any questions or concerns in this regard. If the Council consents to the requested waiver of this conflict of interest, to confirm its consent, please date and sign the enclosed copy of this letter where indicated and return it to me by email or standard mail.

Snohomish County Council

March 24, 2025

Page 3

Very truly yours,

OGDEN MURPHY WALLACE, P.L.L.C.

*M. Re Knack*

Mary Re Knack

Licensed in Washington, Alaska

Connecticut and Massachusetts

MRK:dfs

Snohomish County Council

March 24, 2025

Page 4

The foregoing letter, constituting a waiver is read, approved, and accepted by Snohomish County.

Snohomish County

By: H. Beasinger

Its: \_\_\_\_\_

Date: \_\_\_\_\_