



 james@mdklaw.com

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Practice Areas

- Appellate Law
- Tax Appeals
- Commercial Litigation
- Business Disputes
- Bankruptcy Creditor Law

Education

- J.D. – University of Denver, Sturm College of Law (2005)
-Sports and Entertainment Law Journal
- B.A. – University of Colorado, Boulder, Economics and Music (2002)

Admissions

- Washington (All State Courts)

James P. Ware

Attorney James P. Ware represents clients in complex litigation, before appellate courts, and in challenges to federal and state tax assessments before Washington's Department of Revenue, the Board of Tax Appeals, and the United States Tax Court. His clientele generally consists of business owners and their companies in a variety of industries, ranging from moving companies to technology firms.

With nearly a decade of legal experience, James's practice includes a wide range of legal issues that businesses and their owners confront. James believes that his role as an advocate is to focus on his clients' goals and develop a strategy aimed at achieving those goals in a cost-efficient and timely manner.

In addition to his litigation experience, James has also obtained favorable results in numerous appeals before Washington's Court of Appeals, the Washington State Board of Tax Appeals, and Washington's Department of Revenue, Appeals Division.

Representative Matters

- Obtained a reversal and remand from Division II of Washington's Court of Appeals of an order granting summary judgment against a hard-money lender for purportedly failing to abide by the terms of the loan agreement. The reversal and remand erased a \$300,000+ judgment against the hard money lender
- Successfully prosecuted a derivative action against the majority member of an LLC for various self-dealings and mismanagement of LLC funds. In the judgment the trial court found that the majority member of the LLC was not entitled to any of the assets of the LLC upon judicial dissolution because it was proven at trial that his capital account was negative
- Obtained a \$300,000.00+ judgment through summary judgment for an international fishing rod manufacturer against a Texas based retailer for breach of the parties' contract and breach of the owner's personal guaranty. James then successfully defeated the retailer's appeal to Division I of Washington's Court of Appeals and subsequently assisted Texas counsel with the enforcement of the judgment
- Made new Washington case law by successfully arguing that a party's claim for negligence and breach of contract for the improper preparation of tax returns accrues when the taxing authority completes its administrative review of an assessment, not when the assessment is first issued (Mark Kimball also worked on this matter)
- Successfully defended a 25,000-employee international technology company from unpaid commissions claims (Mark Kimball also worked on this matter)
- Obtained a dismissal of an assessment by Washington's Department of Revenue against a Kirkland based national moving company for its purported failure to collect retail sales tax on packing equipment. After James submitted his brief to the Board of Tax Appeals, the Department stipulated to a dismissal of the assessment (Mark Kimball also worked on this matter)
- Defeated an "Anti-Slapp" claim against an Internet-based marketing company after it claimed defamatory statements were published online (Mark Kimball also worked on this matter)

