Washington State Bar Association

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Adam Berger Receives WSBA Award of Merit

Joint award honors recipients' work contributing to the United States Supreme Court upholding the Affordable Care Act in June 2012

SEATTLE, WA [Sept. 27, 2013] — The Washington State Bar Association (WSBA) honored Seattle attorney **Adam Berger** with the 2013 Award of Merit, along with **Kristin Houser**, **Rebecca Roe**, and **Bill Rutzick**. The award is in recognition of their joint efforts contributing to the United States Supreme Court upholding the Affordable Care Act (ACA) in June 2012. WSBA President **Michele Radosevich** presented the award at the WSBA Annual Awards Dinner on Sept. 26, 2013, at the Grand Hyatt Seattle.

Former Washington attorney general **Rob McKenna** joined 12 other attorneys general in filing a lawsuit against the ACA. Then-Governor **Christine Gregoire**, along with 25 other governors, opposed the position of the attorneys general and supported implementation of the ACA. Roe, Berger, Houser, and Rutzick spent two years and hundreds of pro bono hours representing the governors pro bono in the litigation. They submitted eight briefs in six courts, including an *amicus curiae* brief to the United States Supreme Court, addressing the constitutionality of the individual mandate; the history of insurance reform in Washington; the human and economic costs of caring for the uninsured under the present system; the constitutionality of the ACA's Medicaid expansion provisions; and whether the Florida district court's decision ruling the ACA unconstitutional should result in a nationwide injunction of implementation of the ACA. In her concurrence upholding the ACA, United States Supreme Court Justice **Ruth Bader Ginsburg** quoted the attorneys' argument.

Since 1999, Berger has been an attorney with Schroeter Goldmark & Bender, where his practice focuses on wrongful death or serious personal injury due to medical malpractice, employment class actions for wage and hour violations, and consumer class actions arising from deceptive advertising and unfair business practices. He also represents people who have suffered personal harm or property damage as a result of environmental nuisances, water contamination, or exposure to toxic chemicals. Berger was an attorney with the nonprofit law firm Earthjustice for more than eight years, representing clients in environmental lawsuits throughout the Pacific Northwest.

Berger is a member of the American Association for Justice and the Washington State Association for Justice. He is also a National Institute for Trial Advocacy Instructor. Berger has volunteered as an attorney with the World Wildlife Fund in Vietnam and served for six years on the board of the Washington Environmental Council. He received his undergraduate degree from Harvard University and his law degree from Yale Law School.

About the Award of Merit

This award is the WSBA's highest honor and is given for a recent, singular achievement. It is awarded to individuals only — both lawyers and nonlawyers.

About the Washington State Bar Association

The WSBA is part of the judicial branch and is authorized by the Washington State Supreme Court to license the state's 35,400 lawyers. The WSBA both regulates lawyers under the authority of the Court and serves its members as a professional association — all without public funding. The WSBA's mission is to serve the public and the members of the Bar, ensure the integrity of the legal profession, and to champion justice.

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