



## Jay D. Harker

PARTNER

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### Biography

With over 20 years of civil litigation experience, Jay consistently delivers results and effective client service as counsel for insurers and their policyholders in professional liability defense, construction defect defense, product liability defense, and subrogation/contribution matters. While often successful in achieving early resolution, Jay has tried various matters to completion in the state and federal courts, and obtained resolution in numerous other matters at mediation or the commencement of trial. He has also successfully briefed and argued various matters on appeal.

As counsel for attorneys in legal malpractice matters, Jay identifies key defenses and strategies early on and works with his clients to obtain practical, successful outcomes. One legal malpractice client was later able to obtain a significant recovery from the original claimant based on Jay's defense work. In construction defect defense and product liability defense, as well as insurance subrogation matters, Jay is able to effectively draw from his background in civil engineering and broad experience with technical issues. Jay has both defended and sought recovery from manufacturers in product liability/construction defect actions involving claims in the tens of millions of dollars. Jay has recovered millions of dollars for clients in insurance subrogation matters, including one \$2 million fire loss where Jay's clients received full payment with pre-judgment interest. Jay also has substantial experience with insurance coverage, coverage litigation, and employment defense matters, and has represented underwriters as monitoring counsel in connection with mortgage broker and professional services litigation.

Jay joined Clausen Miller in 1998. Previously, he handled commercial leasing, wrongful termination, property loss, subrogation and personal injury matters as a litigation attorney in Southern California. Jay also served after law school as a law clerk in the Office of Administrative Law Judges of the United States Department of Labor.

Jay graduated *magna cum laude* from Brigham Young University in 1990, with a Bachelor of Science degree in civil engineering. In 1993, he graduated from the Boalt Hall School of Law of the University of California at Berkeley. While at Boalt, he served on the CALIFORNIA LAW REVIEW and Moot Court Board, participating in school and national moot court competitions. Jay resided for two years in Mexico and two years in Argentina.

He enjoys Spanish and distance running.

## Education

J.D. University of California Berkeley,  
Boalt Hall School of Law, 1993

B.S. Brigham Young University, *magna  
cum laude*, 1990

## Bar Admissions

California

## Court Admissions

U.S. District Court, Central District of  
California

U.S. District Court, Eastern District of  
California

U.S. District Court, Northern District of  
California

U.S. District Court, Southern District of  
California

*Pro hac vice* admissions in Arizona,  
Nevada, Oregon, Utah, and  
Washington