



ABA FORUM ON THE CONSTRUCTION INDUSTRY
In cooperation with the Construction Litigation
Committee of the ABA Section of Litigation

Annual Meeting 2007

Lessons Learned:

Benefiting Your Project from Others'
Experiences – Good and Bad

PEOPLE

PUBLICATIONS

PROGRAMS



Puerto Rico

April 12-13, 2007

El San Juan Hotel & Casino
San Juan, Puerto Rico



Lawyers Serving the Construction Industry Through Education and Leadership

Dear Colleague

There is no teacher like experience. Whether good or bad, experience is the lamp that lights the path forward. These maxims are as true in our practice as construction lawyers as in any other walk of life. The 2007 Annual Program will explore lessons learned from the experiences of owners, contractors, design professionals and their lawyers on projects and disputes to illuminate for all of us what went right, what went wrong and how we all might learn to overcome similar challenges down the road.

The Forum has learned a lesson as well. Drawing on past experience, the Forum has selected a top-notch venue in Puerto Rico. The El San Juan Hotel & Casino, situated on a beautiful beach in San Juan's fashionable Isla Verde district, exudes tropical charm. The Forum attendees should have virtually the entire hotel to themselves for their enjoyment. Outside of the hotel, Puerto Rico offers a host of wonderful opportunities – explore the flora and fauna of the lush rainforests, enjoy the surf and sand or wander the cobbled streets of Old San Juan and immerse yourself in the history of the Spanish settlement of Puerto Rico.

The opening day of the program kicks off with a session on lessons learned from the evolution of the AIA General Conditions and benefits and pitfalls of this widely used form.

Carrying that theme forward, a panel from the Construction Litigation Committee of the Section of Litigation will explore the challenges of litigating form documents. With the Forum visiting Puerto Rico for the first time, you can learn from the experience of others regarding the unique issues arising from Latin American projects. Other sessions will explore the lessons learned on topics such as ownership of project documents, retention of project documents, including electronic information and emails, and project agreements that can be forged among lawyers to support a successful project. The first day concludes with a plenary session on dispute resolution procedures – what works, what doesn't and why.

The second day of the program starts with a real-life “lessons learned.” You will hear from two speakers who presented at the Forum's Annual Meeting in New Orleans in 2001 regarding major sports and exhibition projects. These speakers will return to share how those experiences shaped their approach to new challenges on different projects in other locales. The second day of the program includes a session which examines accessibility laws and common misconceptions about those laws and the use of project schedules – what is really needed and why. A plenary session will address a frequently overlooked ingredient of a successful project – a construction owner's duties beyond paying the bills. A workshop will offer insights on employment and immigration laws – areas that are becoming an increasing concern for our construction clients. And finally, a workshop on the ethical challenges presented by electronic discovery, including the mandates in the recently-amended Federal Rules of Civil Procedure, is a must for construction counsel.

The program addresses a wide range of issues for both transactional counsel and the litigator. The scope and depth of the materials will offer valuable insights for both the seasoned practitioner and the newly-minted construction lawyer — there is something for everyone!

We are pleased to present this program in the Commonwealth of Puerto Rico, continuing the efforts of the Forum to broaden its reach and exposure.

Learn from experience, and experience Puerto Rico.

Daniel S. Brennan
PROGRAM CO-CHAIR
DLA Piper US LLP, Chicago, Illinois

Anne E. Gorham
GOVERNING COMMITTEE LIAISON
Stites & Harbison, Lexington, Kentucky

Danny G. Shaw
PROGRAM CO-CHAIR
Baker Donelson Bearman Caldwell & Berkowitz, PC, Mandeville, Louisiana

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Ty D. Laurie
DLA Piper US LLP
Chicago, IL

Chair-Elect

Michael D. Tarullo
Schottenstein, Zox & Dunn
Columbus, OH

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Douglas S. Oles
Oles Morrison Rinker & Baker
Seattle, WA



El San Juan Hotel & Casino Swimming Pool

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Atlanta, GA

Michael S. Zetlin
Zetlin & De Chiara, LLP
New York, NY

Program Schedule

Wednesday, April 11

3:00 – 5:00 PM
Advanced Registration/Information

6:00 – 7:00 PM
Young Lawyers Reception

Thursday, April 12

7:30 AM – 5:00 PM
Registration/Exhibition Open

7:30 - 8:30 AM
Continental Breakfast
(Available to Paid Registrants)

8:00 – 9:00 AM
Division 11 Breakfast Meeting
(Division Members only)

8:00 – 9:00 AM
First Timers/New Member Breakfast

9:00 - 9:15 AM
Welcome from the Chair

Ty D. Laurie
DLA Piper US LLP, Chicago, IL

Opening Remarks and Announcements

Daniel S. Brennan, Program Co-Chair
DLA Piper US LLP, Chicago, IL

Danny G. Shaw, Program Co-Chair
Baker, Donelson, Bearman, Caldwell & Berkowitz, PC, Mandeville, LA

9:15 - 10:30 AM
Plenary 1: Lessons Learned: The Evolution of the AIA Document A201 from 1963 to 2007 – After 40 Years, Is It Perfect Yet?

Charles Sink
Farella, Braun & Martell, LLP,
San Francisco, CA

Mark Petersen
Farella, Braun & Martell, LLP,
San Francisco, CA

Howard Goldberg
Goldberg, Pike & Besche,
Baltimore, MD

No single document used by the construction industry better describes or defines the “typical” relationship between the Owner and the Contractor than the AIA Document A201 General Conditions. As the A201 has evolved from 1963 through 1997, and as it is expected to change for 2007, it embodies many “lessons learned” from its usage on projects throughout the United States. A panel comprised of the authors of *The AIA Deskbook: Understanding the 1997 Revised General Conditions* and outside counsel to AIA’s Documents Committee will describe the general evolution of the A201 and rationale for those changes, including the “lessons learned” from experience with its usage.

10:30 – 10:45 AM
BREAK

10:45 AM – 12:00 PM
Plenary 2: Lessons Learned: Litigating Form Contract Documents – Don’t Worry – It’s the Standard Form – Right?

Rick Lowe
Duane Morris, Philadelphia, PA

Jeff Cruz
Thelen Reid Brown Raysman & Steiner LLP,
New York, NY

Michelle A. Reddin
Trauner Consulting Services, Inc.,
Orlando, FL

Form contract documents, whether AIA, EJCDC, AGC or others, are certainly convenient and, because they are marketed as “neutral” documents, offer comfort. When projects go bad and disputes arise, the convenience and comfort of these forms may present unforeseen challenges. This panel from the Construction Litigation Committee of the Section of Litigation will discuss the advantages and disadvantages of litigating form construction contracts to shed light on how comfortable and convenient these forms may be when the parties are in a dispute.



12:00 – 1:30 PM

Lunch

Featured Speaker: Felix A. Peguero, PE
Vice President, Delta Consulting Group, Inc.
Coral Gables, FL

1:30 – 2:30 PM

Workshop A: Lessons Learned: Traps a Domestic Construction Lawyer Encounters in Latin American Construction – Is It More Than Just a Language Thing?

Richard N. Pearse
Vedder Price, Chicago, IL

Edgar Lee-Nevas
Wyndham Vacation Ownership, Inc.,
San Juan, PR

Roberto Hernandez Garcia
COMAD, S.C., Mexico

The added complexity of a Latin American project does not stop once the financing is secured and the land is purchased, and that complexity regards much more than different language, exchange rates and taxes. Whether representing an Owner, a Contractor or a Design Professional, team members of Latin American construction projects must be aware of requirements, risks, and other issues that accompany those projects not routinely encountered with domestic projects. A panel of attorneys well experienced in Latin American projects will discuss those requirements and risks and how they can be addressed.

1:30 – 2:30 PM

Workshop B: Lessons Learned: Consequences of Ownership or Licensing of the Project Drawings – If You Pay for It, Do You Own It?

Christopher S. Dunn
Waller, Lansden, Dortch & Davis, PLLC,
Nashville, TN

Mary Jane Augustine
McCarter & English, New York, NY

Standard form contracts used by most Design Professionals vest the ownership of all of the Design Professional's work product and the copyright for that work product with the Design Professional. What are the implications of the Design Professional's ownership of that work product, including the schematics, the design drawings and the construction drawings? What rights should an Owner seek? How can the parties' respective interests be best served in the contract? How does ownership of documents affect the strategy and cost of parting company with the Design Professional? These and other related issues will be addressed by these distinguished speakers.

2:30 – 2:45 PM

BREAK

2:45 - 3:45 PM

Workshop C: Lessons Learned: Retention of Project Documents – Why Should You Care?

Dr. John Miller
Patton Boggs, Washington, DC

Scott Ryan
Perini Building Company, Inc., Phoenix, AZ

The often asked question - How long should an Owner, a Design Professional or a Contractor retain project documents? - will be answered in this workshop. Attorneys with significant lessons learned experience regarding project document retention will address legal as well as practical best practices project document retention issues including whether it makes a difference if the documents retained are hard copy or electronic and how e-discovery affects retention policies. Attendees will be provided guidance regarding development of a defensible document retention policy.

2:45 - 3:45 PM

Workshop D: Lessons Learned: Other Project Agreements for a Successful Project – We Have a Contract, What Else do We Need?

William R. Purdy
Purdy & Germany, PLLC, Jackson, MS

Michael F. Nuechterlein
Carlton Fields, Tampa, FL

The Contract Documents are not the only key documents on a Project. Often, counsel for each team member must consider agreements with their counterparts to facilitate project completion or prompt resolution of disputes. Agreements may address anything from communication protocols between or among counsel to how to handle troublesome payment issues, to how discovery is to be conducted in the event of formal disputes. This workshop will feature experienced practitioners with unique insights on these "other" types of agreements.

3:45 – 4:00 PM

BREAK



4:00 – 5:00 PM

Plenary 3: Lessons Learned: Anticipating and Resolving Project Disputes – If Your Project Is Special, Why Shouldn't Your Dispute Resolution Clause Also Be Special?

Terrence Brookie

Locke Reynolds, Indianapolis, IN

David Hendrick

Hendrick, Phillips, Salzman & Flatt, Atlanta, GA

Jennifer Fletcher

Sutherland Asbill & Brennan, Atlanta, GA

Every construction project is different, requiring thoughtful consideration of each significant issue affecting the design, construction and use of that project — from existing soils conditions to the occupants' anticipated uses and needs. The uniqueness of each project should also warrant careful consideration regarding the types of disputes anticipated between or among the Owner, Contractor and Design Professional, the need to have disputes resolved "timely," and even the peculiarities of the project players. Each project's dispute resolution program should attempt to maximize its effectiveness and seek to mitigate its costs and distraction. A panel of seasoned construction dispute resolution lawyers will discuss project and player issues that should be anticipated in preparing the dispute resolution program, the tools available for dealing with those issues and how and when those tools might best be employed.

6:00 - 8:00 PM

Welcome Reception

El San Juan Hotel & Casino

Friday, April 13

7:30 AM – 5:00 PM

Registration/Exhibition Open

7:30 - 8:30 AM

Continental Breakfast

(Available to Paid Registrants)

8:00 – 9:30 AM

Division 1-10 & 12 Breakfast Meetings

9:30 - 9:35 AM

Announcements

9:35 - 10:45 AM

Plenary 4: Lessons Learned: Up Front Choices and Project Structure – Does It Make a Difference?

Steve Leeper

Cincinnati Center City Development Corp., Cincinnati, OH

Mark Hornak

Buchanan Ingersoll, PC, Pittsburgh, PA

Michael G. Bock

Schnader Harrison Segal & Lewis, LLP, Pittsburgh, PA

Six years ago, Mike Bock moderated an Annual Meeting program in which Steve Leeper, then Executive Director of the Sports & Exhibition Authority of Pittsburgh and Allegheny County, and Mark Hornak, counsel for the Authority, informed and entertained Annual Meeting attendees regarding the contemporaneous development, design and construction of an NFL football stadium, an MLB baseball stadium, a world-class convention center, riverfront parks and various public infrastructure in Pittsburgh. Now, six years later, get the "report card" from the key decision makers on how critical choices regarding construction management, owner representation, project insurance coverage, design team formation and developer control turned out. With their hands-on experience and again guided by Mike Bock, Steven and Mark will discuss which project structure systems worked, which did not, and why. Particular attention will be given to use of the construction manager option and the panel will contrast the agency construction management with construction management at-risk.

10:45 - 11:00 AM

BREAK

11:00 AM - 12:00 PM

Workshop E: Lessons Learned: Accessibility Laws – Is an Ounce of Prevention Worth a Pound of Cure?

Eric Berg

DLA Piper US LLP, Chicago, IL

William Hecker

Hecker Design Ltd., Birmingham, AL

The implementation and enforcement of the ADA and FHAA continue to vex Design Professionals, Owners and Contractors. A host of unanswered questions plague construction lawyers as well: What are the compliance obligations of the Design Professional, Contractor and Owner unaltered by contract language? How can and how are those obligations being changed by typical contract language? How enforceable are the contract changes? What is the effect of recent efforts to capture accessibility requirements in the new model codes? What are the pitfalls of variance between federal, state and local accessibility laws? What are the strategies for dealing with claims from the government and from advocacy groups? The panelists will answer these questions and more, and will dispel the widespread confusion in regard to ADA and FHAA obligations.

11:00 AM - 12:00 PM

Workshop F: Lessons Learned: Project Schedules – How Do You Determine What Best Suits You and Your Project's Needs and How Do You Use It (and Avoid It Using You?)

Jules Hoffer

Watt, Tieder, Hoffer & Fitzgerald, LLP, McLean, VA

Denise Martini

Deloitte Financial Advisory Services, LLP, Oakland, CA

While some Design Professionals and Owners require Contractors to provide very sophisticated CPM schedules, many of those same Owners and Design Professionals pay little or no attention to the schedules once received. Worse still, neither does the Contractor. What are the scheduling tool choices and how can the Project team – Owner, Design Professional and Contractor – identify and use a schedule that is (1) meaningful to progressing the project, (2) reliable as an accurate predictor of events and (3) an appropriate measure of events that disrupt the schedule? What types of contract clauses work; what types don't and why?

12:00 – 1:15 PM

Lunch/Forum Business Meeting/Election of Officers/Presentation of Awards

1:30 – 2:45 PM

Plenary 5: Lessons Learned: Owners' Construction Contract Duties – Is There Really More to It Than Just Writing Checks?

Steven Lesser

Becker & Poliakoff, Ft. Lauderdale, FL

Gregory Cashion

Smith, Cashion & Orr, Nashville, TN

Kimberly Hurtado

Hurtado, SC, Wauwatosa, WI

While unsophisticated construction Owners may want to treat a construction project like taking a car to the repair shop – “call me when it's ready” – the Owner's obligations to the Contractor and Design Professional extend well beyond providing a site and writing checks. Those obligations and related issues include properly and timely providing Owner furnished materials and equipment, providing site access, disclosure of construction funds and funding limits, utilizing proper (and avoiding improper) communications with Contractor and Subcontractors, timely reviewing and approving submittals, and others. The panel of veteran construction lawyers will describe those obligations, how and when they arise and the Owner's exposure for its failure to meet those obligations.

2:45 - 3:00 PM

BREAK

3:00 – 4:00 PM

Workshop G: Lessons Learned: Ethics and E-Discovery – How Do the Old Rules Apply in the New World?

James F. Butler III

Smith Currie & Hancock, Atlanta, GA

Lucian T. Pera

Adams & Reese, Memphis, TN

Construction lawyers have been grappling with discovery of electronically-stored information for several years. Case law provided guidelines for the duties that lawyers have to preserve their client's electronically-stored information. The new Federal Rules of Civil Procedure now make these guidelines the law of the land in federal court. These rules, as well as evolving case law will present challenges for the practitioner to balance adherence to ethical mandates with compliance with the new requirements for electronic discovery. The speakers at this workshop will focus on the challenges that electronic discovery presents from an ethical perspective.

3:00 – 4:00 PM

Workshop H: Lessons Learned: Employment Law, Labor Relations and Immigration Issues on Construction Projects – What You Don't Know Can't Hurt You – Can It?

Michael A. Cable

Atkinson, Andelson, Loya, Ruud & Romo, Sacramento, CA

David P. McCauley

Damon Kay Leong Kupchak Hastert, Honolulu, HI

Many construction lawyers are asked by their clients to address issues beyond traditional construction law challenges, particularly for small to mid-size clients. Among those issues are employment and immigration law. This panel will discuss risks and requirements in connection with the employment of illegal immigrants; wage/hour rules on federally-funded projects and enforcement of those rules; worksite safety issues; the effect of strikes and labor disturbances on contract obligations; strategies for dealing with labor unrest; insurance for employment practices exposure; and harassment and discrimination issues. The session will examine mistakes made and efforts to avoid exposure.

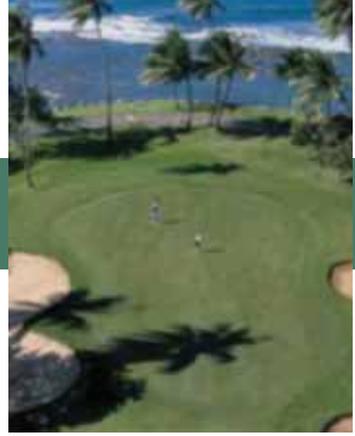
4:00 PM

Adjourn

4:00 – 5:00 PM

Reception Honoring Women in Construction

Event Highlights



GOLF TOURNAMENT

On the morning of Saturday, April 14, the Forum will hold a golf tournament at the Dorado Beach, East Course, which is 30 minutes from the hotel. With a 9:30am shotgun start, the tournament will be formatted to give all participants a chance to win team and individual prizes. For \$150, each golfer will play 18 holes with a cart, have lunch, and free beverages on the course. Transportation will be provided to and from the course. Although \$150 covers only a portion of the greens fees, transportation, cart, and lunch, the remaining cost of this event is being underwritten by various competition sponsors. We will pair foursomes into sponsored teams. Prizes will be awarded for individual and team competition. Players of all levels are welcome for a morning of fun and sun. Please sign up for the tournament on the registration form included to prepare for proper planning.

YOUNG LAWYERS RECEPTION

Join fellow Young Lawyers at this fun Cocktail Reception to be held at the Almond Tree, located on the outside grounds of the El San Juan Hotel & Casino on Wednesday, April 11 from 6:00 to 7:00 PM. The YL Reception is a great opportunity to visit with old friends from Forum meetings past and to make new professional contacts among your peers throughout the country.

WELCOME RECEPTION

The Forum invites all conference attendees to enjoy an evening with colleagues and friends. Be our guest for a selection of delicious hors d'oeuvres, open bar, and live entertainment as the Forum welcomes you to its 20th Annual Meeting! There is no additional cost for conference attendees; spouse/guest tickets are available for \$65.

RECEPTION HONORING WOMEN IN CONSTRUCTION

On Friday, April 13th, immediately following the close of the program, the Forum invites you to a Reception Honoring Women in Construction. Thanks to our friends at Capital Project Management for sponsoring this terrific event!

SPECIALIZED DIVISION MEETINGS

Division Meetings allow you the opportunity to enhance your knowledge in specific areas of construction law. These specialized meetings provide updates on the latest substantive developments in virtually all areas of construction law. These are excellent meetings to meet and network with colleagues who share your interests and practice concerns. Division 11 (members only) will hold its meeting on Thursday, April 12, and Divisions 1-10 & 12 will meet on Friday, April 13. Please check the box of the Division meeting you are interested in attending on the registration form.

EXHIBIT HALL

Visit the Exhibits! The Forum Exhibit Hall brings companies together in one place to fit the unique needs of construction lawyers. The Exhibits will be open Wednesday, April 11, 3:00 – 6:00 PM, Thursday, April 12, 8:00 AM – 5:00 PM, and Friday, April 13, 8:00 AM – 4:00 PM. Thanks to all of the exhibitors for their continued support of the Forum!

LUNCHEONS

Thursday's lunch will feature, Felix A. Peguero, PE, Vice President of the Delta Consulting Group. During Friday's lunch the Forum will bestow its highest honor, the Cornerstone Award, to Robert A. Rubin from the New York office of Seyfarth Shaw LLP. The Forum will also recognize the Immediate Past Chair, Governing Committee Members, and Division Chairs who are rotating off leadership positions, as well as contributing editors to our publications.



El San Juan Hotel & Casino Lobby Area

Welcome To the El San Juan Hotel & Casino

Puerto Rico's pulse beats long into the night at the elite El San Juan Hotel & Casino, located in the city's fashionable Isla Verde district. Nestled on the island's most beautiful beach - surrounded by 15 lush acres of landscaped grounds - our luxurious San Juan Puerto Rico hotel perfectly blends tropical splendor, Old World elegance, and vibrant cultural attractions and landmarks. By day, let the gentle swells of Atlantic surf soothe you as you sunbathe. When the sun goes down, give in to the sizzling salsa beats of the city's thrilling nightlife. Your spacious sleeping room will serve as a restful retreat when it's time to turn in. For work or play, this lavish beachfront hotel in San Juan offers easy access to world-class historic sites and natural wonders, in a legendary island setting:

- Beachfront location in the Isla Verde district of San Juan, Puerto Rico
- Five minutes from Luis Muñoz Marín International Airport (SJU)
- 15 minutes from the shopping, entertainment, and history of charming Old San Juan
- Minutes from fine dining, renowned attractions, and hot nightspots
- Casino and three swimming pools with waterfall, spas and swim-up bar, on the property
- A short distance from Plaza Las Americas, the Caribbean's premier shopping mall

Award-Winning Service And Features At Our San Juan Hotel

Our elegant, four-diamond San Juan hotel is a world of pleasure and luxury. Here, your comfort is our first priority. Ease into a padded lounge chair, and relax among swaying palms, fragrant flowers, and a cascading grotto waterfall. Hit the beach for an afternoon of thrilling water sports.

Savor an extraordinary dinner in one of our eight award-winning restaurants. Enter our world-class casino for an exciting evening of blackjack, baccarat, slots, and Caribbean stud poker. Afterward, our 15 bars, lounges, and night clubs will keep the party going well into the wee hours. Immerse yourself in the excitement and opulence of this glittering beachfront hotel in San Juan!

Conference Information

ADVANCE REGISTRATION

Please complete and return the attached registration form with your payment by MARCH 28, 2007. If you wish to have your name appear on the pre-registration list distributed at the program, we must receive your registration no later than this date.

It is encouraged for you to register online at www.abanet.org/forums/construction. Conference registrations will only be accepted when accompanied by a check, Visa, American

Express, or MasterCard information. Credit card registrations may be FAXED to the ABA Forum on the Construction Industry, at (312) 988-5677. Registrations cannot be held without payment.

ON SITE REGISTRATION

On site registration is available for those persons who missed the registration deadline. If you plan to register at the door, you must call (312) 988-5579 at least 72 hours before the conference to confirm that space is still available. Failure to call in advance may result in not being admitted to a sold out program. On site registration will only be accepted when accompanied by a check, money order, American Express, Visa or MasterCard information. Registrations will not be accepted without payment.

REGISTRATION CONFIRMATION

If you do not receive a written confirmation by MARCH 28, 2007, please call Lynn Parker at (312) 988-5678 to verify that your registration form and check were received. Failure to call in advance of the program may result in not being admitted.

TUITION

Tuition includes admission to the program, coffee breaks, continental breakfasts, lunches, one ticket to Annual Reception at the El San Juan Hotel & Casino, and one set of program course materials. Lunch is limited to registrants, faculty and members of the press.

CANCELLATION POLICY

No refunds will be granted for cancellations received after MARCH 28, 2007. To receive a refund (less a \$50 administrative fee), cancellations must be made IN WRITING and RECEIVED on or before MARCH 28, 2007. Registrants who are unable to attend may send a substitute or receive course materials in lieu of a refund. The ABA reserves the right to cancel any programs, and assumes no responsibility for personal expenses.

HOTEL

The conference will be held at the El San Juan Hotel & Casino, 6063 Isla Verde Avenue, Carolina, Puerto Rico 00979. Reservations can be made by calling the hotel directly at (866) 317-8935 or (787) 791-1000. To insure availability please make your reservation by MARCH 7, 2007. The Hotel Reservation Office will assign rooms on a space available basis. Conference Rates: \$220 (including 11% resort fee).

AIR TRANSPORTATION

Discounted airfares are available for travel to ABA Master Calendar meetings. ABA and Travelocity negotiated airfare discounts and web only fares are available to members at ABA Online Travel. Visit www.abanet.org and select ABA Online Travel under ABA Calendar. Airfare discounts are available to all meeting attendees by calling the ABA's travel agency, Travelocity Business, toll-free at 866-321-8403. **YOU DO NOT NEED A PASSPORT TO TRAVEL TO PUERTO RICO IF YOU ARE A U.S. CITIZEN.**

CLE CREDIT

Accreditation has been requested for the conference from every state with mandatory continuing legal education (MCLE) requirements for its lawyers. Please be aware that each state has its own rules and regulations, including its definition of "CLE". Check your state agency for confirmation of this program's approval. Attorneys seeking to obtain MCLE credit in Louisiana and Pennsylvania are required to pay state accreditation fees directly to that state. Certificates of attendance will be available at the conclusion of this conference. For questions pertaining to the number of credit hours granted by each state, call (312) 988-5678 two or three weeks after the conference.

MEMBERSHIP

As an added bonus to new members, the membership tuition rate will be available to registrants who join the Forum on or before the first day of the program. For your convenience, a Forum membership form is included in the brochure. Membership dues are not deductible as charitable contributions for federal income tax purposes. However, such dues may be deductible as a business expense.

TAX DEDUCTION FOR EDUCATIONAL EXPENSES

In the United States, an income tax deduction may be allowed for educational expenses undertaken to maintain or improve professional skills. This includes registration fees, travel, meals, and lodging expenses. (see Treas. Reg. 1.162-5) (Coughlin vs. Commissioner 203 F 2d 307).

COURSE MATERIALS

If you are not planning to attend the program and wish to order the course materials, check the appropriate box on the registration form and send it with the appropriate fees. Allow approximately 3-4 weeks after the program for delivery.

SERVICES FOR PERSONS WITH DISABILITIES

If special arrangements are required for an individual with a disability to attend this program, please submit your request in writing to Alanna Sullivan, Forum on the Construction Industry, American Bar Association, 321 N Clark, MS 18.2, Chicago, IL 60610, or Fax to (312) 988-5677, no later than March 28, 2007.

FORUM ON THE CONSTRUCTION INDUSTRY WEBSITE

Website:www.abanet.org/forums/construction/home.html

CELL PHONE POLICY

As a courtesy to speakers and attendees, we request that all cell phones and pagers be turned off in the meeting rooms.

Program Registration Form

* THIS FORM IS AVAILABLE ONLINE AT:
www.abanet.org/forums/construction/home.html

Please print or type

Housing Deadline: March 7, 2007
Registration Deadline: March 28, 2007

1. REGISTRANT INFORMATION

Last Name	First Name	M.I.
(Name as you wish it to appear on attendee list & name badge)		ABA Member ID#
Firm/Company/Agency		
Address		
City	State	Zip
(Area Code) Business Phone Number	(Area Code) Business Fax Number	
E-mail Address		

Spouse or Guest (Print as you wish names to appear on badge)

If you are an attorney licensed in the state of New York, please check here.

2. REGISTRATION FEES:

		<i>AFTER</i>	<i>3/28/07</i>
<input type="checkbox"/> General Attendees	\$775	\$825	
<input type="checkbox"/> Forum Members	\$675	\$725	
<input type="checkbox"/> Construction Litigation Members	\$675	\$725	
<input type="checkbox"/> Government/Academic/YLD	\$475	\$525	
<input type="checkbox"/> Law Students	\$340	\$390	
<input type="checkbox"/> New Member, First Time Attendees	\$500	\$550	
<input type="checkbox"/> Forum 20-year Member	\$500	\$550	
Subtotal	\$ _____	\$ _____	

Please check one if you are:

- Member of BOTH Forum and Construction Litigation Committee
- Past Forum Chair (Complimentary)
- Past Governing Committee Member (50% discount)
- I am a New Member and would like a mentor to contact me

3. SOCIAL EVENT TICKETS:

Event:	Fee	Quantity	Total
Welcome Reception	Incl.	_____	\$ _____
Spouse/Adult Annual Reception	\$65	_____	\$ _____
Child Annual Reception (under 12)	\$30	_____	\$ _____
Golf Tournament	\$150	_____	\$ _____
Reception Honoring Women in Construction	N/A	_____	N/A
Reception for Young Lawyers	N/A	_____	N/A
Subtotal			\$ _____

4. MEMBERSHIP APPLICATIONS:

- Please enroll me as a member of the Forum on the Construction Industry. Membership fee (\$40 Regular/\$5 Law Student). I understand I must be a member of the ABA and at least one Section. I belong to the following Section(s):

5. MATERIALS ONLY:

- I will not be attending the seminars and wish to order program materials at \$150

6. TOTAL PAYMENT:

Total (Add subtotals 2, 3, 4 or 5): \$ _____

7. PAYMENT INFORMATION:

- Check (made payable to ABA) Money Order
- MasterCard American Express VISA
- Season Pass Voucher (please include voucher with registration)

Credit Card Number _____ Expiration Date _____

Signature _____

8. THREE WAYS TO REGISTER:

ONLINE: www.abanet.org/forums/construction/home.html

MAIL: ABA Forum on the Construction Industry
321 N Clark Street, Chicago, IL 60610

FAX: (312) 988-5677

Educational Registration

Thursday, April 12, 2007

8:00 a.m. - 9:00 a.m. Breakfast

- Div. 11 – Corporate Counsel (Division Members Only)

- Construction Litigation Committee Breakfast

- First Timers/New Member Breakfast

1:30 - 2:30 p.m. (Make one choice)

- Workshop A or Workshop B

2:45 - 3:45 p.m. (Make one choice)

- Workshop C or Workshop D

Friday, April 13, 2007

8:00 a.m. - 9:30 a.m. – Division Breakfast Meetings

(Make one choice)

- Div. 1 Dispute Avoidance & Resolution

- Div. 2 Contract Documents

- Div. 3 Design

- Div. 4 Project Delivery Systems

- Div. 5 Contract Negotiations, Performance & Administration

- Div. 6 Employment Law & Labor Relations

- Div. 7 Bonds, Liens & Insurance

- Div. 8 International Contracting

- Div. 9 Specialty Trade Contractors and Suppliers

- Div. 10 Legislation & Environment

- Div. 12 Owners and Lenders

11:00 a.m. – 12:00 p.m. (make one choice)

- Workshop E or Workshop F

3:00 p.m. – 4:00 p.m. (make one choice)

- Workshop G or Workshop H



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