

# About the Authors

**Alen Arnautovic** is a second-year law student at the Drexel University Thomas R. Kline School of Law. He was a summer associate at Dilworth Paxson LLP. He is a staff member of the *Drexel Law Review* and Contracts Dean's Scholar. He is also the vice president of the school's Law and National Security Society and secretary of the International Law Society. Alen was a summa cum laude graduate of Rutgers University.

**Keith J. Bergeron** is a partner in Deutsch, Kerrigan & Stiles LLP, based in New Orleans, Louisiana. Keith is a construction lawyer who regularly advises and defends architects, engineers, and land surveyors. Keith formerly worked as an engineer within an international integrated oil and gas corporation after obtaining a degree in mechanical engineering from the University of New Orleans. While working, Keith obtained his JD in the evening program from Loyola University New Orleans College of Law and was a member of the law review.

**Christopher M. Burke** is a partner with Varela, Lee, Metz & Guarino LLP, a law firm representing clients spanning the breadth of the construction and engineering industry, including owners, developers, contractors, subcontractors, design professionals, sureties, and public agencies. Chris has spent his entire legal career focused on the construction industry and has litigated dozens of disputes in the public and private sectors, both domestically and internationally. Chris is well versed on the crucial elements of construction disputes, including schedule analysis, lost-productivity studies, and design-interpretation issues. Chris is particularly knowledgeable regarding claim pricing and damages. Chris graduated cum laude from Yale University and later from the University of Virginia School of Law, where he served as a Dillard Fellow legal research and writing instructor.

**Andrew Case** is an associate at Manatt, Phelps, and Phillips LLP in New York. He is a commercial litigator who represents companies in a range of cases, including contract disputes, claims involving consumer protection statutes, and environmental cases. He received his JD from Columbia Law School, where he was an editor of the *Columbia Human Rights Law Review* and a Harlan Fiske Stone Scholar.

**Laurie K. Choi** is an attorney at Holland & Hart LLP in its Denver, Colorado, office. With a background in construction management and civil and environmental engineering, Laurie counsels clients through construction contracts, mechanics and design professional liens, government construction contracting procedures, construction defect and insurance issues, and various other construction concerns. Additionally, Laurie assists clients through real estate transactions and litigation, including acquisition of property rights through eminent domain and the condemnation process. After becoming licensed as a Nevada general contractor in 2009, Laurie attended the University of Southern California Gould School of Law.

**Jason Fenley** is a staff attorney in the New York City office of Manatt Phelps & Phillips LLP. His practice focuses on all aspects of the construction industry, including commercial disputes, lien law, M/WBE compliance, and public contracts. He graduated from New York Law School in 2004 and is currently pursuing an MBA at the Rutgers School of Business, where his studies are concentrated in finance.

**Robert A. Gallagher** is an associate at Pepper Hamilton LLP in its Pittsburgh office. Bob concentrates his practice in commercial litigation, with an emphasis on construction-related claims. Bob has represented owners, EPC (engineering, procurement, and construction) contractors, construction managers, general contractors, design professionals, and subcontractors in a variety of complex construction disputes. He has significant experience with claims arising from the design and construction of water and wastewater treatment plants, power plants, and pipelines. Bob received his JD from Duquesne University School of Law, where he was comment editor of the *Duquesne Law Review*.

**Michael R. Gordon** is a partner in the New York office of Manatt, Phelps & Phillips, where he focuses on complex commercial litigation. Michael has substantial experience trying cases in state and federal courts and handling domestic and international arbitrations and mediation. He represents a wide array of clients but has focused for over 25 years on handling all aspects of disputes for his clients in the real estate and construction industries. Michael has represented public and private owners, developers, construction managers, general contractors, design professionals, subcontractors, and suppliers. He also has extensive experience preparing and negotiating construction project documentation.

**Ann B. Graff** is a partner with Pepper Hamilton LLP in the firm's Pittsburgh office. Ann concentrates her practice in commercial litigation, with a focus on construction-related claims. Ann has represented owners, EPC contractors, construction managers, general contractors and subcontractors in a variety of complex construction disputes. Ann received her JD from the University of Pittsburgh School of Law, where she was an executive editor of the *Journal of Law and Commerce*.

**Oliver “Lock” Holmes** is a senior partner in the San Francisco office of Duane Morris LLP, an international law firm specializing in construction and related litigation. Lock represents contractors, engineers, and architects involved in public works projects in the United States and abroad. He is a member of the Section on Public Contract Law of the ABA, the Public Law Section of the State Bar of California, the Legal Advisory Committee of the Associated General Contractors of California, the International Bar Association, and the London Court of International Arbitration. He recently prepared a set of jury instructions adopted for use in California construction cases. He is graduate of the University of Chicago Law School, where he was an associate editor of the law review.

**Logan A. Hollobaugh** is in-house counsel for Chicago Bridge & Iron NV (CB&I) in The Woodlands, Texas. His role as corporate counsel is allocated between corporate litigation and claims management, in which he oversees the resolution of domestic and international engineering, construction,

and commercial disputes related to EPC contracts. Prior to joining CB&I, Logan was a member of Ogletree, Deakins, Nash, Smoak & Stewart PC's Construction Industry Practice Group in Chicago, where the core of his practice was the representation of contractors, design-builders, and construction managers in private and public construction related matters. He has been a LEED-accredited professional since 2009. Logan received his BA from Iowa State University and his JD from the John Marshall Law School.

**Patrick J. Kearney** is an partner at Duane Morris LLP, where he practices in the area of construction law and real estate litigation. Patrick has counseled clients, including owners/developers, contractors, banks, design professionals, and public entities on all aspects of construction law. During his career, he has represented clients on construction projects and/or litigated construction cases in at least 18 states involving differing site conditions, termination, equitable adjustments, surety law, mechanic's liens, claims for delay and inefficiency, design errors and omissions, construction defects, and all types of other contract disputes. Patrick also has extensive experience with jury trials and jury research. In addition to obtaining a multimillion-dollar verdict following a four-week trial for a developer, he also led several mock jury trial exercises and worked side by side with jury consultants in order to develop effective trial themes and jury instructions.

**Stephen W. Kiefer** is an associate in the Pittsburgh office of Pepper Hamilton LLP. Stephen represents clients in commercial litigation disputes, with a particular focus on construction-related claims, including construction defect, breach of warranty, government contracting, and other commercial contract disputes. He has significant experience representing EPC contractors and equipment suppliers in claims arising from the design and construction of water and wastewater treatment plants, power plants, and pipelines. Stephen graduated from William & Mary School of Law.

**James Landgraf** is of counsel with Dilworth Paxson LLP in its Cherry Hill, New Jersey, office. His practice areas include construction law and litigation and general business and commercial litigation. He has been named by the New Jersey Supreme Court as a certified civil trial attorney since 1988.

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James is currently co-chair of the ABA Section of Litigation's Construction Litigation Committee and is a member of the ABA Forum Committee on the Construction Industry and Public Contract Section. He is a former chair of the New Jersey State Bar Association Section on Construction Law and is a former president of the Burlington County (New Jersey) Bar Association. He is a graduate of Muhlenberg College and Rutgers–Camden School of Law.

**Michael R. Libor** is senior counsel at Morgan, Lewis & Bockius LLP, a full-service, international law firm with offices throughout the world. His practice is focused on developing, drafting, and negotiating complex project development agreements, as well as handling all forms of dispute resolution claims and matters arising from construction projects and products liability and insurance recovery claims related to construction projects. He has litigated numerous federal and state trials (bench and jury), arbitrations, and mediations related to major industrial, energy, commercial, and residential construction projects throughout the United States. He also serves as an arbitrator and mediator on such claims and has published and spoken extensively on various construction-related legal topics for industry, professional, and legal societies. Before practicing law, Michael was a systems accountant.

**Eli R. Mattioli** is a commercial arbitrator and mediator based in Scarsdale, New York, and is a member of the American Arbitration Association's National Roster of Neutral Arbitrators. He holds a BS in business administration from Villanova University, a JD from the Fordham University School of Law, and a LLM from the Columbia University School of Law. He has experience in a broad range of commercial disputes—including accounting, banking, construction, energy, insurance, partnerships and joint ventures, real estate, sales, securities, and technology—and has practiced as a litigation and arbitration partner in several prominent national and international law firms, including most recently with the New York City office of Manatt, Phelps & Phillips LLP.

**Patrick M. Miller** is a partner with Faegre Baker Daniels LLP in its Chicago office. He assists clients with drafting and negotiating design and

construction contracts and represents construction industry stakeholders in dispute resolution proceedings. Patrick also has significant design-build construction process and procurement expertise and extensive experience with heavy civil and highway construction, process projects, and real estate development. He serves on the Design-Build Institute of America's National Legal & Legislative Committee and is one of few lawyers in the nation approved as an instructor for the institute's contracts and risk course.

**Molly Moss** is a construction and real estate litigation associate with Faegre Baker Daniels LLP in its Indianapolis office. Molly does some transactional work advising clients in drafting and negotiating construction contracts, although the primary focus of her construction practice involves litigated construction disputes, including matters related to construction defects, mechanic's liens, and contract disputes. Molly earned her JD cum laude from the Washington University in St. Louis School of Law, where she was a staff editor of the *Journal of Law and Policy*.

**Maggie Nasif** graduated in 2007 from the University of Mississippi School of Law, where she served as associate editor of Notes and Comments for the *Mississippi Law Journal*. She received a BA from Colorado State University in 2004. Maggie practiced law for seven years at Carroll Warren & Parker PLLC, a Jackson, Mississippi, law firm specializing in complex commercial litigation and insurance coverage disputes.

**Brian W. Shaffer** is a litigation partner at Morgan, Lewis & Bockius LLP in its Philadelphia office. He counsels and defends clients in a variety of areas, including complex commercial litigation, construction law, business disputes, consumer fraud, and product liability matters. He has prosecuted and defended a variety of large, multiparty construction claims and disputes, involving both government and private projects, in courts and various arbitration tribunals throughout the country. He gratefully acknowledges the assistance of colleagues Tyler Brody, Jon Wall, Eli Klein, and Pat Huyett with this project. Brian received his JD from Georgetown University Law Center, where he was a member of the Order of the Coif.

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**Ryan P. Stewart** is an associate in the Pittsburgh office of Pepper Hamilton LLP. Ryan focuses his practice on commercial litigation matters, with an emphasis on construction-related claims and disputes. Ryan has represented owners, EPC contractors, general contractors, and subcontractors in a variety of complex construction cases. Ryan received his JD from the University of Pittsburgh School of Law, where he was an articles editor of the *Journal of Public Health and Environmental Law*, and his BA from Grove City College.

**Elizabeth Sullivan** is a student at the University of Colorado Law School in the class of 2015. She worked as a summer clerk at Holland & Hart LLP and looks forward to starting full time at the firm in 2016 after completing her clerkship. She serves as an associate editor on the *University of Colorado Law Review*. Before starting law school, Elizabeth attended Ohio State University and worked for her family's business in general contracting.

**James Warren** is managing member of Carroll Warren & Parker PLLC, a Jackson, Mississippi, law firm specializing in litigation and insurance matters. Jim has litigated a wide range of matters for nearly 30 years, often dealing with cases arising out of construction issues. He is co-chair of the Damages, Defects, Scheduling, and Experts Subcommittee of the ABA Litigation Section's Construction Litigation Committee. Jim graduated from the University of Mississippi School of Law, where he currently serves as an adjunct professor of law.

**Gordon S. Woodward** is a partner at Schnader Harrison Segal & Lewis LLP, a national law firm specializing in business, commercial, and other complex civil litigation. Gordon is resident in Schnader's Washington, D.C., office and focuses his practice on construction and insurance coverage issues. He received his JD with honors from the George Washington University and has been recognized as a Washington, D.C., Super Lawyer for both insurance coverage and construction litigation.

**Michael S. Woodward** is a 1986 civil engineering graduate from Union College in Schenectady, New York. For the past 33 years, Michael has focused

on project management disciplines within the overall project delivery process for a wide range of owners, general contractors, and construction managers. Michael has provided his expertise on numerous project types, ranging from hotels/resorts, condominiums, hospitals, higher-education facilities, industrial process plants, power generation plants, and electrical transmission systems.