American Bar Association, Forum on Construction Law
2019 Regional Program

STICKS & BRICKS
LEARN THE CONSTRUCTION PROCESS FROM THE EXPERTS

Monday, September 9, 2019
Charlotte, NC

Friday, September 20, 2019
Chicago, IL | New York, NY | Sacramento, CA
In September 2019, in four convenient locations across the country, the ABA Forum on Construction Law will present *Sticks & Bricks* and provide attendees the opportunity to learn the construction process from the experts.

Taught by leading industry professionals in each locale, this program presents a unique opportunity for both new and seasoned construction lawyers, and for owners, contractors, and other construction industry participants, to learn the key elements of all aspects of construction systems and technology that arise in “vertical” construction projects – from site work and foundations to structural steel; from building enclosures to mechanical systems.

Attendees will acquire the knowledge necessary to comprehend complex technical concepts, identify and anticipate legal risks, counsel their clients more competently, ask better questions, and deliver greater value when engaged on construction projects. For those reasons, *Sticks & Bricks* is particularly vital to construction lawyers—who, in order to practice effectively—need to understand how buildings are constructed, and how building systems operate after construction is complete.

Tuition includes a copy of the Forum book, *Sticks & Bricks* as well as lunch and a full day of CLE instruction. The new Forum publication, *More Sticks & Bricks*, will also be available for purchase at a discount. Don’t miss this exceptional opportunity to acquire critical construction knowledge for your next project or case.

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**Governing Committee Liaison**

Tracy Steedman  
Adelberg Rudow, Baltimore, MD

**Program Co-Chairs**

Meredith Philipp  
Samek | Werther | Mills, LLC, Rockville, MD

Kevin Walsh  
Brownstein Hyatt Farber Schreck LLP, Denver, CO
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Session 1  |  8:30 – 10:00 am
Commonly Used Building Materials/Basic Engineering Concepts

In order to properly manage, avoid, or shift the risk of liability in construction disputes, attorneys must be familiar with the core concepts underlying the construction process. This two-part session introduces the fundamental concepts behind engineering, and identifies the most commonly-used building materials. The concepts portion defines structural engineering, discusses building classifications and codes, and explains structural members, components, and loads. The concepts portion also covers design methods and methodologies, and common performance expectations and shortfalls. The materials portion has two sub-sections: structural materials (such as steel, concrete, masonry, and wood) and non-structural materials (such as insulation, roofing, and wall-cladding).

Session 2  |  10:10 – 11:00 am
Site-Work / Foundations

Foundations and site work collectively represent one the greatest risks to owners, contractors, and design professionals (particularly geo-technical engineers) in the construction setting – both in terms of potential increased costs and project delays. This session explains the importance of foundations in controlling risk of building movement. The level of risk varies widely depending on the type of structure, the type of foundation, the method of protecting adjacent structures, the loading intensity, and the variability of subsurface conditions. Attendees will learn about geotechnical investigations and reports, often used in construction litigation, foundation optimization, and soil stabilization. The site work portion addresses site conditions, excavations, bracing, protecting adjacent structures, and creating a safe work environment for workers.
Session 3 | 11:00 – 11:50 am
Concrete

Concrete is among the most widely-used construction materials today and a prime subject of construction defect litigation. To help the construction lawyer better understand the technical issues in cases involving concrete design, mix, or installation, this session describes the composition, proportioning, and properties of concrete; the manner in which concrete is formed and reinforced; the most common uses of concrete in modern buildings, including pre-stressed, post-tension, and precast concrete; concrete placement, finishing and curing; and concrete durability problems.

Session 4 | 1:00 – 1:50 pm
Steel

Steel’s primary purpose is to form a skeleton for the building or structure and to hold everything together. When steel fails to achieve this basic purpose, it can lead to (and has unfortunately resulted in) severe legal consequences for the construction team, including cost overruns, delays, personal injuries and death. This session will focus on both the design and construction of structural steel, and how steel is typically used in the construction process, including the engineering, detailing, fabrication, and erection. Certain special considerations will also be addressed, such as weight, connections, quality, schedule, changes, cost estimates, and failure, among others.

Session 5 | 1:50 – 2:40 pm
Roofing

Historically, most roofs were steep-sloped systems covered with tiles, slate, wood, etc. Through the years, builders sought to achieve larger open interior spaces and reduce construction costs by using low-slope roof framing. All roofing systems wear out over time and must be replaced or risk collapse. For that reason, a significant portion of the roofing market is devoted to roof reconstruction on existing buildings, as are a significant portion of construction claims. The session addresses roofing systems in new construction and replacement of existing roofing systems, giving attorneys knowledge to evaluate these issues when negotiating roofing-related contracts and resolving roofing-related disputes.
Masonry

Masonry, consisting of units bonded together with mortar, is one of mankind’s oldest building materials and is used to protect human life and provide comfort. Historically, masonry material production and construction of assemblies were based on trial and error or empirical methods (rules of thumb). Today, we formulate materials in a more sophisticated manner, with a rational basis for selecting the size and content of masonry elements. Claims and disputes relating to masonry typically stem from the failure of masonry to provide a proper enclosure, which often leads to damage of the building interior. Masonry is also used for structural purposes, the failure or degradation of which can result in significant exposure to legal liability for the construction team. This session addresses the fundamental information for construction lawyers to know in handling a masonry case.

Curtainwall

As with masonry, curtainwall failures typically result in damage occurring to the interior to the building, particularly water intrusion. Because curtainwall is typically used on a vast scale – such as the entire skin for a skyscraper – the potential legal exposure for curtainwall failures is similarly vast. The use of curtain walls has grown in popularity over the last 80 years, and now constitutes the most widely used form of wall in mid-rise and high-rise construction. Curtain walls vary considerably in their materials, composition, design, and construction. This session addresses the material characteristics and design and construction principles for curtain wall assembly, focusing on those that impact performance most significantly, and on common problems that occur when these principles are violated – all of which relate to legal liability.
Session 8  |  4:35 – 5:25 pm
HVAC/MEP

This session will cover heating, ventilating, and air conditioning (HVAC) systems (aka mechanical systems), and electrical and plumbing systems. HVAC systems are critical to occupant comfort and health, and to the safety and effectiveness of many industrial processes. When they operate improperly, HVAC systems can lead to extreme discomfort to occupants of the building (potentially resulting in legal claims). In more extreme cases, improper HVAC operation can lead to property damage such as broken pipes, gas leaks, mold or electrical fires (and more claims). The session will cover the basics system functions, components and types, along with the design process and commissioning. Plumbing Systems include all potable water supply and distribution piping, all plumbing fixtures and traps, all drainage and vent pipe, and all building drains and appurtenances within the property lines of the premises. This session provides attendees with a general understanding of the plumbing systems used in common commercial buildings. Electrical work is one of the most sophisticated, complicated and misunderstood disciplines in construction. While the work of most trades are covered in one division of a project’s specifications, several divisions address electrical work. Malfunctioning electrical systems and backups can disrupt critical operations, including essential life safety systems, like the sprinkler system, resulting in claims against the specialty trade subcontractors. The session addresses two main categories of electrical work: electrical systems over 120 volts; and electronic, or low voltage systems under 120 volts.
Consulting Sponsor:
J.S. Held Engineering Services, LLC
Cincinnati, OH

Regional Coordinators:
Ellis & Winters, LLP
Raleigh, NC

Carl J. Burchette, Esq.
Rosenwood, Rose & Litwak PLLC
Charlotte, NC

Speakers:
Robert Burlington
SteelFab, Inc., Raleigh, NC

Paula Dombrowski, P.E.
J.S. Held Engineering Services, LLC, Cincinnati, OH

Reiland Funderburk
Barnhill Contracting Company, Charlotte, NC

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Wiss, Janney, & Elstner Associates, Inc., Cary, NC

Raymond Ramos, P.E.
Raymond Engineering, LLC, Conyers, GA

Jason Thompson
National Concrete Masonry Association
Herndon, VA

Ryan Wilborne, AIA
Wiss, Janney, & Elstner Associates, Inc., Cary, NC

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Consulting Sponsor:
FTI Consulting
Chicago, IL

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Raths, Raths & Johnson, Inc.
Chicago, IL

Regional Coordinators:
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Laurie & Brennan LLP
Chicago, IL

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CTLGroup, Skokie IL

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Thornton Tomasetti, Chicago, IL

George R. Mulholland, S.E., P.E.
Raths, Raths & Johnson, Inc., Willowbrook, IL

Carol Drucker, S.E., P.E.
Drucker Zajdel Structural Engineers, Inc.
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Ian R. Chin, R.S., S.E., P.E.
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Kurt R. Hoigard, P.E., SECB, F.ASTM
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FE Moran Mechanical, Northbrook, IL
Consulting Sponsor:
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Regional Coordinators:
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New York, NY

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King & Spalding
New York, NY

Speakers:
William R. Broz, P.E., LEED AP, MBA
Exponent, Los Angeles CA

Jason A. Coleman, P.E., CDT
O’Donnell & Naccarato, Philadelphia, PA

Gregory Manzi
Hunter Roberts Construction Group
New York, NY

Richard T. Kaczkowski, P.E.
CTL Group, Skokie, IL

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Thorton Tomasetti, New York, NY

Margot Otten, RA
OSSO Architecture, Brooklyn, NY

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Arcadis, Braintree, MA

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Vidaris, New York, NY

Consulting Sponsor:
Berkeley Research Group
Emeryville, CA

Technical Sponsor:
U.S. Legal Support
Sacramento, CA

Regional Coordinators:
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Diepenbrock Elkin Gleason LLP
Sacramento, CA

Rebecca D. Takacs, Esq.
Oles Morrison Rinker & Baker LLP
Oakland, CA

Speakers:
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Martin/Martin, Inc., Larkspur, CA

Steven P. Viani, P.E.
Alvia Services, Inc., Rancho Murrieta, CA

Owen R. Brizgys, P.E.
WEBCOR, San Francisco, CA

William D. Trono, Ph.D., P.E.
Exponent, Oakland, CA

Jonathan Stafford, P.E.
Simpson Gumpertz & Heger, San Francisco, CA

John C. Anderson, P.E.
Berkeley Research Group, Emeryville, CA

Mark Hopkins. P.E., A.I.A.
Guardian Group, Inc., Torrance, CA

Karen Purcell, P.E.
PK Electrical, Inc., Reno, NV
**Scholarship**
Please contact Tamara Harrington by email at tamara.harrington@americanbar.org or by phone at 312.988.5674 for non-diversity scholarship information.

**Diversity Scholarship Information**
The Forum has Diversity Scholarships for the cost of registration for this program at each venue for women and minority construction lawyers, construction lawyers with disabilities, and construction lawyers from the LGBT community. Individuals wishing to be considered for a scholarship should submit a copy of their resume and a letter describing their construction law practice, along with reasons why they want to attend the Regional Program. Applications are due no later than August 9, 2019. If selected, candidates must commit to attend the program. The scholarships are not transferable. Questions and/or applications for the scholarships should be sent to the Forum’s Diversity Committee Chair, Nicholas Holmes, at nholmes@devinemillimet.com.

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**Program Information**

**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 contact Patricia Harris at patricia.harris@americanbar.org or 312.988.6086 by 5pm CT August 23, 2019 to confirm space is still available. Failure to call in advance may result in not being admitted to a sold-out site.

**Housing Notice**
Please note there are no hotel blocks reserved for this meeting.

**Registration Confirmation**
If you do not receive a written confirmation by August 30, 2019 please contact Patricia Harris at patricia.harris@americanbar.org or 312.988.6086 to verify that your registration form and payment were received. Failure to confirm in advance of the program may result in not being admitted.

**Tuition**
Tuition includes admission to the program, lunch, program course materials and the book titled *Sticks & Bricks*.

**Cancellation Policy**
No refunds will be granted for cancellations received after August 30, 2019. To receive a refund, minus a $65 administrative fee, cancellations must be made IN WRITING and RECEIVED by tamara.harrington@americanbar.org. 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 program, and assumes no responsibility for personal expenses.

**CLE Credit**
The ABA directly applies for and ordinarily receives CLE credit for ABA programs in AK, AL, AR, AZ, CA, CO, CT, DE, GA, GU, HI, IA, IL, IN, KS, KY, LA, MA, ME, MN, MS, MO, MP, MT, NH, NJ, NM, NV, NY, NC, ND, OH, OK, OR, PA, SC, TN, TX, UT, VT, VA, VI, WA, WI, and WV. These states sometimes do not approve a program for credit before the program occurs. This course is expected to qualify for up to 6.5 hours of CLE credit for this program in 60-minute states and 8 hours of CLE credit for this program in 50-minute states. Credit hours are estimated and are subject to approval from each state’s approval and credit rounding rules. This transitional program is approved for both newly admitted and experienced attorneys in NY. Attorneys may be eligible to receive CLE credit through reciprocity or attorney self-submission in other states. For more information about CLE accreditation in your state, visit www.americanbar.org/groups/construction_industry or contact patricia.harris@americanbar.org.

**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 F2d 307).
# PROGRAM REGISTRATION

Advanced Registration Deadline: **August 2, 2019**

**Sticks & Bricks: Learn the Construction Process from the Experts**

## Three Ways to Register

1. **Online:** [ambar.org/constructionlaw](http://ambar.org/constructionlaw)
2. **Fax:** (312) 988-5850
3. **Mail:**
   - **American Bar Association**
   - **Service Center - Meeting & Event Registration CI0919**
   - **321 N. Clark St. - FL 19, Chicago, IL 60654**

## REGISTRANT INFORMATION (Please print or type.)

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## REGISTRATION FEES

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**Discount Code**

(if applicable)

Total: **$**

## Please choose which city you will attend:

- [ ] Charlotte (9/9)
- [ ] Chicago (9/20)
- [ ] New York (9/20)
- [ ] Sacramento (9/20)

## Cancellation Policy

No refunds will be granted for cancellations received after 8/23/2019.

## PAYMENT INFORMATION

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PLEASE SAVE THE DATE AND JOIN US FOR THESE UPCOMING FORUM MEETINGS!

2019 Fall Meeting - October 23-25, 2019 | Philadelphia, PA
2020 Midwinter Meeting - January 22-24, 2020 | Tucson, AZ
2020 Annual Meeting - April 22-24, 2020 | Seattle, WA