

Construction Litigation

The Litigation team of Gresham Savage knows and understands the importance of protecting not only our client's bottom line, but also the relationships that are so important to the construction business. Our attorneys have experience in advising many types of construction clients including suppliers, subcontractors, contractors, engineers, owners, architects, developers, construction managers, manufacturers, design professionals, risk insurers and sureties. We have represented clients in a variety of different disputes including construction claim and defect litigation, appeals, mediation, arbitration, contract negotiations, extra work, change orders, collections, mechanic's liens, bonds and stop notices, material suppliers' rights and bid protests.

OUR SERVICES INCLUDE:

- Representing design professionals, contractors and owners in litigation.
- Representing clients in construction and engineering cases involving retail and industrial centers, hotels, convention centers, health campuses and other large developments.
- Drafting construction and equipment supply agreements.
- Counseling clients on the management and avoidance of construction claims.
- Litigating design and construction defects.
- Representing client in insurance and other coverage claims.
- Litigating and arbitrating construction disputes involving mass torts
- Defending architects and engineers in malpractice actions.
- Representing clients in construction litigation claims.
- Representing clients in private construction claims
- Payment and collections issues, including mechanic's liens and stop notices
- Prosecution of claims
- Prosecuting claims for the payment of prompt payment penalties
- Insurance coverage issues including wrongful denial of coverage

- Surety matters
- Construction claims
- Bond claims
- Discrepancies and interpretations of poorly drafted construction documents (plans - specifications - scope of work)
- Change order, delay, and disruption claims
- Contract and specification scope disputes
- Construction cost accountings
- Defective and non-conforming work claims
- Construction partnership, joint venture and corporation dissolutions

FAVORABLE REPRESENTATIVE CASES:

Represented a major retailer in a \$100 million construction and nuisance claim involving dozens of homeowners, successfully settling the case with minimal client payment.

Prevailed on a summary judgment on the final two causes of action for fraud and promissory estoppel on behalf of our client who specializes in professional painting and coating.

Resolved multi-million dollar claim against the City relating to contract disputes with the general contractor, including claims of entitlement to prompt payment penalties.

Successfully settled a dispute for our client regarding soil contamination resulting in substantial contributions to clean up costs.

Successfully obtained summary judgment on developers' contract and equity claims for \$600,000 in fees related to an unconstructed development project.

Successfully defended four construction defect lawsuits for a civil engineering company.

Compromised mechanic's liens claims in a successful manner by showing work had been duplicated, double billed, defective or under warranty.

Evaluated possible construction defects prior to an expansion for a major retailer by working with building and soil engineers. Our attorneys were able to save the retailer litigation costs by concluding that the claim was insufficient.

Successfully settled a lawsuit brought by client property owners against a general contractor.

Successfully mediated and settled a related construction defect lawsuit brought by 58 landowner plaintiffs against a prominent international developer client.

Represented a large retail developer in an eminent domain lawsuit.