

Representative Engagements: Alternative Dispute Resolution

- Served as an AAA arbitration panel member awarding an aggregate award of \$3.7 million to a general contractor and subcontractor for a subcontractor's defective installation of bell caissons for a new 35-story apartment tower in Chicago; subsequent to the award, an Illinois state trial court and an Illinois appellate court upheld the \$3.7 million arbitration award, with the three-judge Illinois appellate panel finding "the arbitrators' award to be quite well reasoned"
- Served as lead project counsel for an owner constructing a \$200 million 25 megawatt hydroelectric power plant in Texas impacted by significant project delays, *force majeure*, hurricanes and high water events, and the COVID-19 pandemic; successfully mediated multiple delay claims, defective work claims and change orders in the amount of \$35 million and claims with builder risk insurance companies and FEMA while defending Engineering, Procurement, Construction (EPC) contract claims from separate international equipment suppliers and constructors
- Served as arbitrator involving slope stability failures impacting the structural integrity of a river bluff single-family residence with an attached outdoor sports entertainment annex; multiple geotechnical experts, appraisers and structural engineers testified in arbitration regarding complex entitlement and damage issues
- Served as a mediator in multiple mediations regarding complex change order disputes involving Chicago Transit Authority (CTA) train stations, hospitals, high-rise buildings, façade claims, airports, day care centers and churches
- Served as co-arbitrator for a 35-story high-rise building impacted by project delays and accelerations due to bell caisson failures, construction defects, soft clay conditions and differing site conditions; matter involved multiple testimony from experts over five days of hearings in a multiparty conflict
- Served as an arbitrator for a high school project involving change order claims and delay damages for a subcontractor to a prime contractor on downstate project in Illinois
- Served as a mediator in a construction dispute between the general contractor for a chain hotel that involved defective construction, delays, impacts and change order disputes in Wisconsin
- Served as lead counsel for a national physics laboratory in a \$30 million claim brought by a general contractor for differing site conditions on a tunnel project; the matter involved a Disputes Review Board and multiple hearings on 20-plus claims; successfully negotiated project change order governing project completion to resolve all claims
- Represented a general contractor on a large undeveloped block in the city of Chicago against subcontractor claims including, but not limited to, delay damages, job accelerations and multiple change orders in excess of \$3 million
- Represented a material supplier in a large condominium development workout involving more than 75 parties; mediation required the rental of the Metropolitan Club at Sears Tower

to facilitate a three-day mediation/arbitration with multiple parties; successfully negotiated settlement on behalf of a major material supplier at the condominium project

- Represented the owner of a commercial retail center with substantial building defects and building envelope failures that permitted water to penetrate the building envelope
- Participated in three mediation/arbitration sessions with the general contractor and various subcontractors to resolve claims by the owner against these contractors; successfully negotiated claims totaling more than \$3 million
- Represented a joint venture on a deep tunnel project in the defense of over 250 property damage claims due to blasting operations in the deep tunnel; successfully managed multiparty mediation and arbitration of multiple property damage claims against the joint venture
- Represented a general contractor in construction workouts regarding the fast-track development of commercial retail and residential properties involving the employment of four different architectural firms; successfully negotiated settlement claims in excess of \$3.3 million against the owner
- Successfully represented a public owner in the defense of a general contract claim in excess of \$3 million due to a termination for convenience under federal regulations and federal law; extensive forensic accounting was completed to review and negotiate settlements for multiple subcontractor claims and the claim by the general contractor
- Represented a Fortune 500 company and major contractor involved in a workout at a community college against claims totaling more than \$1 million; multiparty mediation/arbitration was required to resolve construction workout issues
- Represented the owner/developer of a hotel in construction workouts involving fraud, construction defects and contractor insolvencies; successfully negotiated settlement upstream with the original owner and downstream with the general contractor and subcontractors