Glaser Weil
Your Powerhouse™

Construction Law

Glaser Weil's Construction Litigation Practice Group has extensive experience in all aspects of construction law. Our attention to detail and ability to interpret and explain mounds of complex evidence defines our representation of construction clients.

Our attorneys have counseled numerous clients in matters involving mechanic's lien litigation, construction close-out and defect litigation, first- and third-party insurance litigation for construction-related claims and other disputes in state and federal court, as well as in arbitration venues in California, Nevada and other jurisdictions.

Some of specific areas in which the Firm provides construction litigation counsel and representation include:

Representing owners and developers in large, complex closeout disputes including scope, change order and related challenges involving all forms of standard and negotiated prime contracts.

Pursuing insurers for coverage for construction defects.

Attacking mechanic's liens filed against real property.

Pursuing general contractors and subcontractors for construction defects, delay damages, inefficiency claims, false claims, liquidated damages and all manner of direct and consequential loss.

Retaining acclaimed engineering, contracting, design and damage consultants and expert witnesses.

Glaser Weil's culture of close interdisciplinary collaboration between practice groups benefits our construction clients immeasurably. This team approach allows the Firm to take advantage of it's deep bench and sophisticated legal and technical know-how at a moment's notice. The significant expertise commanded by the Real Estate Department's construction, architecture and development attorneys serves as a valuable resource to the Construction Litigators.

The Firm's Construction Law Practice Group, headed by Partner Peter Sheridan, has achieved, among others, the following notable successes:

Resolution of a high-stakes construction defect lawsuit involving a client's resort in Northern California. After 12 months of investigation and seven months of intense discovery in federal court, Mr. Sheridan secured a $25 million settlement of all claims from Perini, its subcontractors, and the architect, where 24 months before, when the Firm took over the then 4-year-old case, the best offer from the defendants had been $2 million. More than 20 other law firms represented more than 30 subcontractors and design professionals joined in the action.

Represented before JAMS the owner/developer of a major retail space in a case against the general contractor, involving complex close-out claims brought by the general contractor, as well as significant construction defects, resulting in a damage claim made by the client in excess of $15 million. Architectural, waterproofing, structural, geo-technical, and complex diminution issues were involved, and more than 80 days of depositions were taken. As a result of Mr. Sheridan's and his team's work, the general contractor's claims against the client were resolved for significantly less than the claims made and below the client's 998 pretrial offer. Thereafter, 20 days into a 30-day arbitration before JAMS, the general contractor settled the construction defect claims with the Firm's client on terms very favorable to the client.

Represented a luxury California resort that was improperly constructed and suffered systemic water damage. On behalf of the client, Glaser Weil first pursued the general contractor and its subcontractors and defended against more than $40 million in change order and delay claims. Mr. Sheridan was able to achieve a very favorable settlement with the general contractor. The litigation then proceeded against the client's first party "all-risk" insurers. After intense and aggressive litigation against the insurers, on the eve of trial and during trial, additional settlements for the client with three separate first-party "all-risk" insurers were entered into that eclipsed even the prior settlement with the general contractor.

Successfully obtained a multi-million dollar settlement for one of the largest vacation ownership companies in the world in a matter litigated in federal court in Hawaii involving three large and improperly constructed steel "Space Frames," or atria covers, sitting approximately 150 feet atop the open-air towers of the client's luxury resort located on Maui, Hawaii. On behalf of the client, Mr. Sheridan pursued the entities that designed the Space Frames, supervised the installation of the Space Frames' component parts and fabricated the key components of the structures. In achieving a favorable result for the client, Mr. Sheridan worked closely with

experts in the fields of structural engineering, metallurgical engineering, failure analysis and cost estimating.

Represented one of the largest vacation ownership companies in the world regarding its resort located in Kauai, Hawaii. That representation included investigating all defects at the resort and making claims totaling approximately $80 million to several years and several layers of insurers for the resort. That matter continues as the Firm represents the clients, including the HOA, in its contracts with repair contractors.

Litigated on behalf of the owner against a general contractor and subcontractors for defects in the construction of a large, high-profile automobile dealership in Southern California. Architectural, waterproofing, structural, geo-technical and complex diminution issues were involved. The case settled on terms very favorable to the client.

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