



BELLNUNNALLY



At Bell Nunnally, our extensive litigation and transactional experience enables us to assist construction industry clients in negotiating, drafting and documenting favorable contract terms, while at the same time anticipating pitfalls before they occur.

Bell Nunnally's construction attorneys regularly represent parties in a wide range of roles throughout the industry, from contractors and architects to owners and end users. Setting our clients up for success, we help businesses, partnerships and joint ventures establish their entities and maintain good governance practices. We assist with project finance and commercial contracts, as well as labor and employment, immigration and other operational issues facing construction industry clients.

Who we represent

- General contractors and subcontractors
- Specialty construction companies focused on areas such as, government/school construction, infrastructure contractors, or heavy industrial construction
- Manufacturers, distributors and suppliers of building materials and products
- Construction machinery and tool rental companies
- Industrial crane companies
- Design and engineering professionals
- Owners, developers and managers of construction projects

Construction Claims and Litigation

Our litigation team represents clients in a wide variety of construction-related claims and litigation. We regularly represent clients in cases involving commercial claims, construction defects, and personal injury claims arising from construction defects. With our experience working with the Occupational Safety and Health Administration (OSHA), we have a proven record of successful outcomes in cases involving workplace accidents related to construction defects or product liability. In Texas, we have extensive experience handling cases involving public owners, including bonded projects, which are governed by specific laws.

- Represented property owners, contractors and services providers in construction defect cases.
- Represented construction creditors in both trials and appeals based on promissory notes, leases, guarantees and unpaid accounts.
- Recovered collateral and foreclosed liens for secured construction creditors.
- Perfected and foreclosed both mechanic's and materialman's lien claims and payment bond claims for the contractors and suppliers working on private, state and federal projects.

Representative Experience

Construction Litigation

- Represented construction industry clients in patent litigation and in arbitration concerning the construction of a major athletic complex.
- Obtained a \$2.7 million judgment for the general partner of a multifamily development partnership for breach of the development agreement.
- Represented a general contractor in an arbitration regarding the construction of a major athletic complex and successfully defended a claim for multimillion dollars.
- Routinely handle cases involving surety bond claims and mechanic's and materialman's lien claims.
- Represented a hotel owner in a case involving the removal of an invalid and unenforceable mechanic's lien.
- Represented a ready-mix concrete company in a bankruptcy adversary proceeding, objecting to the dischargeability of unpaid debt.

Construction Defect and Product Liability

- Represented our clients in multiparty construction defect litigation, including breach of express and implied warranty claims, adjoining property owner liability claims, surface damage and water runoff claims, single business enterprise and alter-ego claims, as well as deceptive trade practice act (DTPA) claims.
- Handled numerous cases involving the construction of stadiums, stadium lighting and poles.
- Handled numerous cases involving the construction of utilities and infrastructure contractors.
- Handled covered litigation claims for insurance carriers on behalf of their insureds.
- Addressed contract dispute issues when claims of product failure were asserted at a public airport.
- Obtained a multimillion-dollar settlement of construction defect claims on behalf of the plaintiff high-rise building homeowner's association.

Related Practices

Commercial Finance
Corporate and Securities
Creditors' Rights
Entertainment, Advertising and Media
Immigration
Intellectual Property
Labor and Employment
Litigation
Mergers and Acquisitions
Real Estate Law
Tax

Related Industries

Energy and Natural Resources
Hospitality
Insurance
Manufacturing
Municipalities
Real Estate
Wholesale, Retail and Services

Related Attorneys

Troy "T.J." Hales

John R.W. Fugitt

Perrin B. Fourmy

Dania Duncan Moreno

David A. Walton

Benjamin L. Riemer

Jean Pierre Boyea

Randall K. Lindley

Christopher B. Trowbridge

Ross Angus Williams

Kenneth "Kenny" C. Meixelsperger

Kartik R. Singapura