



Construction

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STRADLEY  
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## OUR PRACTICE

Stradley Ronon's construction practice comprises lawyers knowledgeable in business and litigation environments, enabling us to offer clients the breadth and experience to handle all legal aspects of a construction project. Stradley Ronon lawyers efficiently manage complex document-intensive cases using the latest technologies.



## OUR COMPREHENSIVE SERVICE

Our attorneys advise clients in every aspect of construction, including site acquisition, construction financing, construction and design document preparation and negotiation, employment and labor matters, environmental issues, construction litigation, and alternative dispute resolution. We have experience working with all types of properties, including commercial, retail and

industrial sites, mixed-use and large residential complexes, hotels, subdivisions, restaurants, and recreational facilities. Stradley Ronon litigators have handled virtually every type of construction dispute.

### OUR CLIENTS

Stradley Ronon represents a wide variety of parties in construction projects, including:

- architects
- building products suppliers
- commercial developers
- commercial office landlords
- construction lenders
- construction managers
- contractors
- design professionals
- engineers
- governmental entities
- insurance companies
- property owners
- residential developers
- subcontractors
- sureties

# CLIENT SUCCESSES

***Milton Regional Sewer v. Travelers Casualty & Surety Co. of America*** – Succeeded in obtaining the dismissal of a performance bond claim on the grounds that the owner failed to afford the contractor the right to attempt to cure its alleged construction shortcomings.

***SBW, Inc. v. Ernest Bock & Sons, Inc.*** – Convinced a federal court interpreting New Jersey law that a surety cannot be liable for the bad faith denial of a surety bond claim. This seminal decision reversed case law in New Jersey on this subject.

***University of Pittsburgh v. United States Fidelity & Guaranty Co.*** – Successfully argued that the Pennsylvania Procurement Code prohibited the assignment by an owner of its rights under a performance bond to an assignee, depriving the assignee of standing to assert a bond claim.

***Havens Steel Company v. Driscoll/Hunt*** – Succeeded in dismissing the purported pass-through claims of a construction manager, which the construction manager attempted to assert against its steel subcontractor.

***Multi-Phase, Inc. v. United States Fidelity & Guaranty Co., et. al.*** – Successfully dismissing a performance bond obligee's claims for damages allegedly caused by the principal's delay because such delay damages were not covered by the performance bond.



## OUR LITIGATION EXPERIENCE

For decades, Stradley Ronon has represented construction-related entities and individuals in all facets of construction litigation. From arguing pivotal legal matters and creating new law to trying cases in different forums, our attorneys have represented clients in claims involving:

- bid protests
- building code violations
- constructive acceleration
- cost overruns
- default terminations
- defective building products
- defective workmanship
- delays
- design errors
- differing site conditions
- environmental issues
- extra-contractual work
- insurance coverage disputes
- liquidated damages
- lost productivity
- lost profit claims
- mechanic's liens
- payment bond claims
- performance bond claims
- personal injury
- property damage
- union and labor disputes

## OUR BUSINESS & CONTRACTING EXPERIENCE

We negotiate, draft and advise on the numerous contracts and issues associated with construction projects, including:

- AIA, AGC and other standard industry contract templates
- building code compliance issues
- client-specific construction and design contracts
- construction financing agreements
- land acquisitions, use and development
- mechanics' rights and lien avoidance

- RFPs, RFIs and RFQs
- state and local governmental permits and approvals

## OUR EMPLOYMENT & LABOR EXPERIENCE

We counsel clients on all matters pertaining to employment and labor-related issues, including:

- employee dismissals, layoffs and transfers
- enjoining picketers at a job site
- use of non-union and union labor



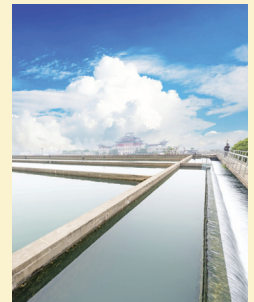
## A sampling of the group's litigation successes include:

**Donald M Durkin Contracting, Inc. v. City of Newark** – Secured a dismissal against a claim that a general contractor defaulted on the construction agreement for a massive reservoir near Newark, Delaware. Stradley Ronon lawyers

succeeded in having the surety dismissed on the basis that the general contractor was wrongfully terminated because the owner failed to satisfy the construction contract's notice-to-cure requirements.

**Guy Cooper Inc. v. East Penn School District v. United States Fidelity & Guaranty** – Succeeded in having the owner's joinder complaint against the general contractor and its surety dismissed on the grounds that the construction contract's no-damage-for-delay provision precluded such joinder.

**Samuel Grossi & Sons, Inc. v. United States Fidelity & Guaranty Co., et al.** – Convinced the court to dismiss a bond claimant's alleged damages, as such damages were not covered by the payment bond.



For more information on our Construction practice, visit [www.stradley.com/construction](http://www.stradley.com/construction).



## CONTACTS

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## ABOUT STRADLEY RONON

For more than 95 years, Stradley Ronon has helped private and public companies – from small businesses to Fortune 500 corporations – achieve their goals. With nine offices and more than 200 attorneys, Stradley Ronon is proud to help companies manage their legal challenges and grow their businesses.

[www.stradley.com](http://www.stradley.com)

## LOCATIONS

Pennsylvania  
Washington, D.C.  
New York  
California  
New Jersey  
Illinois  
Delaware

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