



Construction Litigation & Real Estate Litigation

Overview

Archer's Construction Litigation and Real Estate Litigation Group is comprised of attorneys experienced in effectively handling disputes arising out of and related to construction projects and real estate transactions. Our lawyers have experience in handling the legal issues relating to the design, development, financing, performance and management of construction projects. Our group includes attorneys who regularly represent national homebuilders, general contractors, prime contractors, subcontractors, public and private owners and developers, equipment suppliers, architects/engineers and other design professionals, and sureties. This broad range of experience enables us to handle issues and disputes arising before, during and after project completion.

We handle a wide range of claims for clients in the construction industry, including:

Claims Avoidance and Prevention

Our lawyers counsel clients during the construction process to ensure client awareness of issues, and potential pitfalls and to address issues as they arise in order to avoid events that will lead to claims being filed. We welcome the opportunity to present in-house seminars to our clients to provide their project managers, superintendents, design professionals and others with the current trends, hot topics and pitfalls that they may encounter in the construction industry today.

Construction Defect Claims

Construction projects, whether public or private, large or small, often result in disputes that are resolved through mediation, litigation or arbitration. Our attorneys have extensive experience in litigating all of the issues that traditionally arise, whether they involve payment disputes, lien claims, insurance coverage, allegations of defective design or construction, professional negligence, changed or unforeseen conditions, product defects, delays, disruptions, loss of productivity or similar claims. We possess similar experience in litigation involving condominium associations and the "transition" of ownership from the developer to the unit owners.

We strive, whenever possible, to achieve an early and fair resolution of construction disputes without the expense and disruption of litigation. Our attorneys utilize alternative dispute resolution, including mediation and arbitration, as well as creative strategies to resolve disputes promptly and amicably if possible.

When early resolution is not possible, our attorneys have extensive experience in litigating complex construction claims in trial and appellate courts at both the state and federal levels, and before administrative tribunals. We also represent clients in arbitration matters before private panels such as the American Arbitration Association.

Architects, Engineers and Other Design Professionals

Our attorneys represent architects, engineers and other design professionals during the pre-design, design, construction and post-construction phases. Our attorneys have defended and prosecuted claims by and against design professionals. We work directly with self-insured firms, third-party administrators, and as carrier-appointed counsel in these complex, often multi-party actions.

Payment Disputes and Lien Claims

Our attorneys have substantial experience in filing, prosecuting and defending against Construction and Mechanic's Lien claims. With knowledge of the law's intricacies in this substantive area, we work with our clients to achieve efficient and effective results.

Surety Default/Termination Claims

All public construction projects and many private construction projects require surety bid, performance and payment bonds. Through our representation of sureties, public owners and bonded contractors, we have handled the complex issues and claims that arise as a result of bidding disputes, defaulting contractors and/or subcontractors, and failed construction projects that can result in the default or termination of a bonded contractor.

Property Damage Claims

Property damage to projects during construction and after completion often gives rise to complex claims against project participants and their insurance carriers. We have litigated numerous property damage cases, and our experience in handling actions involving insurance companies enables us to assist our clients in exploring all potential avenues of relief to ensure the best result possible.

Insurance Coverage-Related Issues

Nearly every construction litigation matter involves insurance issues in some form. Through years of experience in handling these matters, our attorneys have developed an in-depth understanding of the intricacies of insurance coverage issues related to construction litigation. This ever-changing area of the law can dramatically affect the course of a construction dispute. Our attorneys are prepared to assist our clients in navigating through this complex area of the law.



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Related Services

- Alternative Dispute Resolution
- Business Counseling
- Business Litigation
- Insurance Recovery & Counseling
- Real Estate
- Real Estate Tax Appeal

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