

Current Program — as of Oct 13, 2007



2007 Construction Law Conference

THURSDAY MORNING

Presiding Officer(s)

Michael B. Gerstle

8:00 am **Registration Opens**
Includes continental breakfast.

Welcoming Remarks

9:00 am **A Primer on Delivery Systems and Corresponding Contract Forms 0.75 hr**
This program will review construction and delivery systems in vogue today contrasting traditional, design-bid-build with CM and design-build.

Amy Kathleen Lucas
Porter & Hedges LLP - Houston, TX

John R. Hawkins
Porter & Hedges LLP - Houston, TX

9:45 am **AIA Doc 201: Evolution and New Changes 1.00 hr**
AIA Document 201 is the foundational document used to describe the typical relationship between Owner and Contractor. This session looks at how this key document has evolved and at expected changes in 2007.

Mark D. Petersen
Farella Braun + Martel LLP - San Francisco, USA

Michael B. Gerstle
Gerstle, Minissale & Snelson, L.L.P. - Dallas, TX

10:45 am **Break**

11:00 am **A Litigator's View of Troublesome Contract Clauses 0.75 hr**
An overview of common AIA contracts that will highlight troublesome clauses for owners, contractors, and design professionals.

Chris S. Stacy
DuBois, Bryant, Campbell & Schwartz - Austin, TX

11:45 am **Reaching the Contractor's CGL Policy: A Primer on Where We Are and Where We're Going 0.50 hr**
An overview of current trends with CGL coverage as it relates to construction defect litigation. In addition, the discussion will address developments with respect to the law on trigger, extrinsic evidence, and declaratory judgments.

Lee H. Shidlofsky
Attorney at Law - Austin, TX

THURSDAY AFTERNOON

Presiding Officer(s)

Clayton C. Cannon

12:15 pm **Luncheon Presentation**
Pick Up Box Lunch

12:30 pm **Conflicts Involving Construction Issues: The Engineer Perspective 0.50 hr | 0.50 hr ethics**

Mark McGivern
CCA, LLP - Bedford, MA

1:00 pm **Conflicts Involving Construction Issues: The Legal Perspective 0.50 hr | 0.50 hr ethics**

W. Wade Porter
Allensworth and Porter LLP - Austin, TX

1:30 pm **Break**

1:40 pm **Insuring the Construction Project: Drafting Strategies,**

Blake S. Evans

<p>Risk Management Considerations, and Insurance Options 1.00 hr</p> <p>A broad discussion of key issues in managing risk in connection with construction projects, including strategies regarding builder's risk coverage, consideration of drafting issues for insurance procurement and contractual indemnity provisions, drafting to obtain statutory employer protection under the Workers Compensation Act, currently available insurance products and their pluses and minuses, and additional insured issues and considerations.</p> <p>Please note the time change. A 10 minute lunch break has been added. All Thursday afternoon sessions now start 10 minutes later than previously stated.</p>	<p>Schubert & Evans PC - Dallas, TX</p> <p>Burl Daniel Burl Daniel Associates - Fort Worth, TX</p> <p>Michael W. Huddleston Shannon Gracey Ratliff & Miller LLP - Dallas, TX</p>
<p>2:40 pm The Condominium Craze: Managing the Players, the Project, and the Potential Liability 0.50 hr</p> <p>Condominium construction has become a craze in Texas in recent years. This presentation seeks to address the legal affects and potential liabilities associated with the discovery of condominium defects.</p>	<p>Allison J. Snyder Porter & Hedges LLP - Houston, TX</p>
<p>3:10 pm Break</p>	
<p>3:25 pm Employment Law, Labor Law, and Immigration Issues on Construction Projects 0.75 hr</p> <p>A look at those employment laws that affect contractor's on the jobsite – including discrimination claims, harassment issues, OSHA considerations, NLRA issues and immigration issues – and what contractor's should be doing to avoid problems or deal with them when they arise.</p> <p>This session has moved to 10:15 am on Friday</p>	<p>Linda Ottinger Headley Littler Mendelson, P.C. - Houston, TX</p>
<p>4:25 pm Construction Permits: Rights and Obligations 0.50 hr</p> <p>A discussion of the rights and obligations triggered for owners, contractors, the city, and others by the issuance of building permits, especially if issued by error.</p>	<p>C. A.(Joe) Davis Brown McCarroll, L.L.P. - Austin, TX</p>
<p>4:55 pm Hot Topics in Construction Litigation 0.50 hr</p> <p>This presentation will cover the latest cases on the issues most common in construction litigation, including the economic loss doctrine, warranty claims and measures of damages.</p>	<p>Clayton C. Cannon Stumpf Craddock Massey Farrimond, P.C. - Houston, TX</p>
<p>5:25 pm Adjourn</p> <p>FRIDAY MORNING Presiding Officer(s) Richard E. Schellhammer</p>	
<p>8:30 am Securing Payments for Construction Projects 0.50 hr</p> <p>Discusses methods and strategy for securing payments to contractors, subcontractors, suppliers, and others involved in Texas construction projects, with focus on mechanic's liens and payment bond claims.</p>	<p>J. Keith Webb Miller & McCarthy, P.C. - Dallas, TX</p>
<p>9:00 am 2007 Construction Law Legislative Update 0.50 hr</p> <p>An update and resource guide to the construction related legislation passed in 2007.</p>	<p>James L. Dougherty, Jr. Attorney At Law - Houston, TX</p>
<p>9:30 am Top 10 Mistakes by Design Professionals 0.50 hr</p> <p>Design professionals often manage risks with a "reactive" approach,</p>	<p>Leonard G. Lane, Jr. Chelsea Place Design, Inc. - Houston, TX</p>

that is addressing issues only after the "oops" moment has struck. This presentation will highlight mistakes common to professional designers and emphasize the benefits of a "proactive" approach, designed to minimize your exposure and your stress levels.

Matthew B. Cano
Allensworth and Porter, L.L.P. -
Austin, TX

10:00 am Break

10:15 am Arbitration and Alternative Dispute Resolution Options for Construction Disputes 1.00 hr | 1.00 hr ethics

Resolving construction disputes through arbitration, mediation, and other dispute resolution mechanisms: from the parties', the attorneys', the mediator's and the arbitrator's perspective. Pros and cons of various dispute resolution mechanisms.

This session has moved to 3:25 pm on Thursday

Karl Bayer
Bayer & Hargrove - Austin, TX

Donald E. Hemke
Carlton Field - Tampa, FL

11:00 am E-Discovery: A Guide for Construction Litigation 1.00 hr | 0.25 hr ethics

Understanding and minimizing the impact of e-discovery on construction businesses.

Thomas H. Watkins
Brown McCarroll, L.L.P. - Austin,
TX

FRIDAY AFTERNOON

Presiding Officer(s)

Anne P. Stark

12:00 pm Luncheon Presentation

Pick Up Box Lunch

12:30 pm Demo: HVAC Defects 1.00 hr

Through the use of a mock up, this session will illustrate common construction defects related to light commercial/residential air conditioning equipment. There will be a mock up of an operating air conditioning system with viewing windows to showing the internal parts, fans that circulate the air and water used to simulate condensation. This demonstration will allow participants to actually put their hands on and see first hand the most common construction defects found in air conditioning systems.

Richard E. Schellhammer
Goins, Underkofler, Crawford &
Langdon, L.L.P. - Dallas, TX

Jeffery H. Peters
Rimkus Consulting Group, Inc. -
Houston, TX

1:45 pm Rights and Remedies Involving Inspections Including Third Party Inspections 0.50 hr

A presentation about theories of liability, standard of care, defenses, insurance considerations, and effective contractual liability limitations in claims against inspectors.

Debra B Norris
Attorney at Law - Houston, TX

2:15 pm Update on the TRCCA and Residential Construction Litigation 0.75 hr

The discussion will include recent amendments to the Texas Residential Construction Commission Act in H.B. 1038 and the pitfalls of the dispute resolution process (SIRP) for clients and practitioners. This session will address the progression of a typical construction defect claim from first notice through the state inspection, RLCA offer, and final resolution.

Anne P. Stark
Attorney at Law - Dallas, TX

3:00 pm Adjourn