



Over, Under, Around...Through

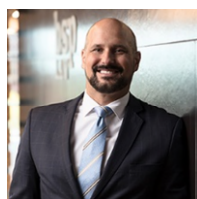
# We Do What it Takes to Win

## CONSTRUCTION LITIGATION & COUNSELING OVERVIEW

BSP's Construction Litigation and Counseling team, led by Moheeb Murray, helps clients through all aspects of the litigation process and counsels clients on how to best handle matters. This enables the BSP team to deliver favorable results, cost-effectively, to the firm's construction-industry clients.

BSP advises clients on a broad range of issues that arise at every stage of a construction project, from the negotiation and drafting of construction agreements and warranty programs to the resolution of complex construction disputes. BSP prioritizes staying up-to-date on local and nationwide trends through active involvement in industry organizations, including the American Bar Association's Construction Industry Forum, the Construction Association of Michigan, the Home Builders Association of Southeastern Michigan and the Defense Research Institute's Construction Law Committee.

## CONSTRUCTION LITIGATION & COUNSELING TEAM



### Moheeb H. Murray

University of Michigan Law School  
OCBA Business Court & Counsel Committee Co-chair and MI Muslim Bar Association VP



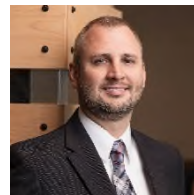
### Susan M. McKeever

Villanova School of Law  
*Clerkships:* U.S. District Court for the Eastern District of Michigan & U.S. District Court for the District of New Jersey



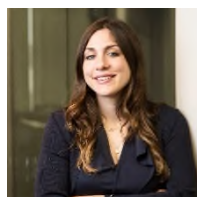
### Luis E. Gomez

University of Michigan Law School  
President of the Hispanic Bar Association of Michigan



### Michael A. Ohly

University of Detroit Mercy School of Law  
Serves community through OCBA Pro Bono program



### Lena M. Gonzalez

Wayne State University Law School  
Treasurer of the Hispanic Bar Association of Michigan

NAMWOLF



Super Lawyers

THE TRIAL Network

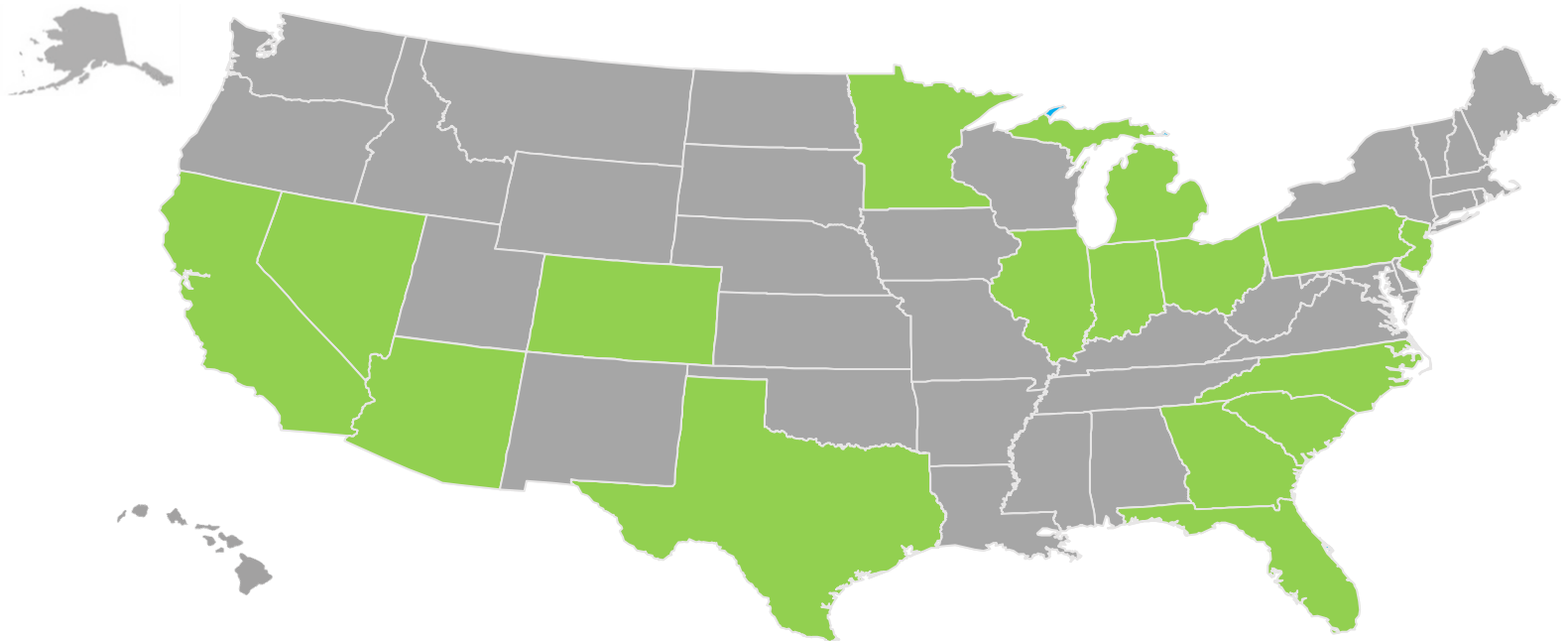


# CONSTRUCTION LITIGATION & COUNSELING

## EXPERIENCE INCLUDES

- Alternative Dispute Resolution
- Appeals
- Architect/Engineer Liability
- Bond Claims
- Building Component Recalls
- Class Actions
- Complex Construction Disputes
- Construction Finance
- Counseling on Construction Agreements and Litigation Avoidance
- Defective Design and Workmanship
- Defective Building Components
- Delay Claims
- Indemnity and Contribution
- Insurance Coverage Disputes
- Jobsite Accidents
- Lien Foreclosure
- Mass Actions
- Multi-District Litigation
- Negotiation
- Structuring Insurance Programs
- Warranty Programs

## BSP HANDLES MATTERS NATIONWIDE



## SELECTED CONSTRUCTION LITIGATION RESULTS

- Defended developers in multiple class and mass actions alleging defective plumbing systems in tens of thousands of homes in Arizona, California, Nevada and Texas, obtaining recoveries totaling more than \$75 million from manufacturers of plumbing components and various insurance carriers.
- Defeated state-wide class alleging installation of defective insulation in more than 7,500 single family residences.
- After settlement of underlying homeowners' association's construction defect claim against developer of mid-rise condominium building, recovered \$3.25 million from developer's GL carrier to reimburse developer for initial repairs/investigative expenses.
- In a putative statewide class action in the Middle District of Florida, obtained published decision dismissing tort claims, dismissal of \$2 billion punitive damages claim, *Daubert* rulings striking liability and damages experts, and denial of class certification.
- Defended homebuilder and captive mortgage company in two state attorney general enforcement actions.
- Defended builder/developer of short-term rental community against purchasers' claims that sale of condominium units constituted the sale of unregistered securities in violation of federal securities law.
- In a suit filed by lender to enforce development completion guarantee, obtained favorable discovery rulings for developers leading to negotiated settlement of less than 12% of actual completion costs.
- Obtained rescission of \$17.4 million real estate development project agreement based on developer's fraud concealing non-payment of earnest-money deposit.
- Represented national vehicle-rental company in successfully resolving lien claim in connection with expansion of a rental location.
- Defeated class certification and negotiated favorable resolution of claims of more than 1,000 landowners alleging improper disclosure of utility rates.