



Anatomy of a Construction Dispute from A to Z
January 24, 2014 – Nashville, TN

Program Description: This full day seminar will track both a commercial construction project and residential construction project through the key areas which if not handled correctly can lead to disputes. The emphasis will be on role-play between speakers and panel discussions. This information-packed, full-day program will provide 6 CLE hours, *including 1 hour of ethics credit*. **Breakfast & Lunch will also be provided.**

Program Producers: David Taylor, *Bradley Arant Boult Cummings, LLP*
Mary Beth Hagan, *Hagan & Farrar, PLLC*

Agenda

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| 8:00 – 8:25 a.m. | Registration/Breakfast/Welcome |
| 8:30 – 8:45 a.m. | Introduction of Fact Scenarios for Commercial Project and Residential Project Mary Beth Hagan, Hagan & Farrar, PLLC |
| 8:45 - 9:45 a.m. | What about those “Form” Contracts? Pros and Cons Tim Crenshaw, Schulman LeRoy & Bennett PC |
| 9:45 – 10:00 a.m. | BREAK |
| 10:00 – 11:00 a.m. | Making and Withholding Payments for the Work: Retainage Issues <i>Withholding retainage from the contractor’s earned monies is commonly accepted given the nature of construction contracts and the inherent financial risks involved. The questions, which are often raised by the parties to the construction contract will be discussed during this session.</i> Beth Stengel, Evans Petree, P.C. |
| 11:00 – 12:00 p.m. | Handling Defects and Punch List Items <i>In my segment, we will be discussing the frequently asked questions by both the contractor’s and the owners when it comes to defects and alleged faulty work, i.e., punch lists and disagreements that occur because of the same.</i> Sean Hunt, The Hunt Law Firm |

- 12:00 – 1:00 p.m. **LUNCH (*lunch will be provided*)**
(Sponsored by: TBA Construction Law Section)
- 1:00 – 2:00 p.m. **Mechanics’ Liens and Prompt Pay Act**
Brief overview and discussion of the statutory provisions of the Prompt Pay Act and mechanics’ lien law, including the timing for various notices. Will also identify some potentially unresolved legal issues relating to the Prompt Pay Act.
Tim Gibbons, Chambliss, Bahner & Stophel P.C.
- 2:00 – 3:00 p.m. **Dispute Resolution Process –The Great Debate”**
Arbitration or Litigation
Debate over whether or not a client should agree to submit any construction dispute to binding arbitration as opposed to litigation. The presentation will focus on the pros and cons of binding arbitration.
David Taylor, Bradley Arant Boult Cummings LLP
Bryan Thomas, Bradley Arant Boult Cummings LLP
- 3:00 – 3:15 p.m. **BREAK**
- 3:15 – 3:30 p.m. **Collection**
Jerry Martin, Attorney at Law
- 3:30 – 4:30 p.m.
(1 Dual) **Succession Planning**
This session will provide you with the basics of law practice succession that can help you prepare for these transitions or for transitions of attorneys in your firm. In addition, we will be covering anticipated changes to Supreme Court Rule 9 applicable to succession planning
Marisa Combs, Lewis, King, Krieg & Waldrop P.C.

Credit hours: 5.0 general, 1 dual