

## ***About the Authors***

This publication was prepared by members of the Michigan Chapter and AGC, Greater Detroit Chapter whose qualifications are set forth below. It represents countless hours of intensive research, analysis, organization and editorial craftsmanship.

### **Peter J. Cavanaugh**

Peter J. Cavanaugh is a Senior Associate Attorney in the Bloomfield Hills office of Thomas M. Keranen & Associates, P.C. where he has practiced for 9 years. His practice is concentrated on construction and design law matters, including litigation and arbitration of contract and real property disputes, construction lien and surety bond claims as well as claims involving architects, engineers, and environmental professionals.

Mr. Cavanaugh graduated from the University of Detroit Mercy School of Law in 1995, and received his undergraduate degree from the University of Michigan in 1986. Mr. Cavanaugh is admitted to practice law in all courts in Michigan, the U. S. District Court, Eastern District of Michigan, the U. S. Court of Appeals for the Sixth Circuit, and the U. S. Court of Federal Claims.

Mr. Cavanaugh is a member of the American Bar Association (Construction Industry Forum), the AGC Legal Advisory Committee, and is co-author of the Michigan Chapter of Lienlaw Online, a comprehensive on-line resource covering lien laws in 50 states, and a frequent contributor to its LienLaw eLerts service.

### **Joseph W. DeLave**

Joseph W. DeLave is a member of Dickinson Wright PLLC in Bloomfield Hills and has practiced in the area of construction law and construction litigation for approximately 16 years. He represents owners, contractors, design professionals and subcontractors.

Mr. DeLave has litigated and arbitrated various construction disputes and has extensive experience drafting and negotiating all types of construction contracts.

He received both his undergraduate and law degrees from the University of Notre Dame. He is a member of the Legal Advisory Committee for the AGC and the Construction Law Committee of the Real Property Law Section of the State Bar of Michigan.

### **Kevin Hendrick**

Kevin S. Hendrick practices law with Clark Hill PLC in Detroit, specializing in construction law and commercial litigation. He has counseled construction clients in the drafting and negotiation of construction contracts and the bid process. The claims handled by Mr. Hendrick in arbitration, mediation and civil litigation have run the gamut of construction issues, from simple claims by unpaid claimants to complex claims for damages for delay; defects in performance; breach of warranty or poor workmanship; claims concerning the quality and performance of the work; and claims concerning the suitability of plans and specifications to achieve the desired result.

Mr. Hendrick received his BA degree, with honors, from the University of Notre Dame, and his JD degree from the University of Michigan. He is a member of the State of Michigan and American Bar Associations. He is a member of the American Bar Association Forum on the Construction Industry, and a panel member on the rosters of Mediators and Arbitrators with the American Arbitration Association. Mr. Hendrick is a Professional Service Provider Member of the Michigan Chapter AGC and serves as Chair of the Legal Advisory Committee.

**Stephen A. Hilger**

Stephen A Hilger, Rhoades McKee, Grand Rapids, has extensive experience in construction and complex commercial litigation. He has appeared in many State and Federal Courts in the midwestern, southern and eastern states.

He has authored over thirty five published articles on construction law topics, has been a speaker at over thirty seminars and programs, and actively participates in the construction arena. He is also on the Panel of Arbitrators for the American Arbitration Association.

He is a University of Florida Gator, graduating with a Bachelor of Science degree in Chemistry, and received his law degree from Case Western Reserve University in 1982. He is admitted to practice in Michigan, Florida, various Federal Courts, Federal Courts of Appeal and the United States Supreme Court. He is also a Fellow of the Michigan Bar Foundation.

His areas of practice include construction law and litigation and complex commercial litigation.

**Edward J. Hood**

Edward J. Hood is a member in the law firm of Clark Hill PLC, Detroit, practicing in the areas of construction and general business litigation.

Mr. Hood's construction litigation practice entails the prosecution and defense of construction defect, delay, acceleration, design, labor productivity, surety bonds, indemnity, and construction lien claims. He has also developed a subspecialty in competitive bidding issues and often lectures on that and other construction-related subjects. His commercial litigation experience includes all issues relating to contracts and the UCC, letters of credit, corporate governance, shareholder disputes, partnership law, antitrust, and business torts. He has also been involved in significant environmental litigation.

Mr. Hood is a 1989 graduate of the Wayne State University Law School and a 1986 graduate of the University of Michigan. Mr. Hood is currently completing an MBA at the University of Michigan during evenings and on weekends.

**Thomas M. Keranen**

Thomas M. Keranen is a shareholder in the law firm, Thomas M. Keranen & Associates, P.C. Mr. Keranen holds bar memberships in Michigan, Florida and Wisconsin and is also a licensed professional engineer in Michigan.

Mr. Keranen concentrates his law practice on construction industry legal matters, including claims involving acceleration, delay, and disruption, surety bond and construction liens, federal procurement law, architect and engineer malpractice defense, and other related matters. Mr. Keranen is experienced in litigating, arbitrating and mediating all forms of construction and design related disputes.

Mr. Keranen received his B.S. in Civil Engineering from Michigan Technological University (1972) and his M.S. in Civil Engineering from the University of Michigan (1976). He received his J.D. from the Detroit College of Law in 1981.

**Aileen M. Leipprandt**

Aileen Leipprandt is a shareholder at the Grand Rapids office of Smith Haughey Rice & Roegge. Her primary areas of practice are commercial litigation, construction litigation and real estate. She has counseled clients and litigated and arbitrated disputes concerning all facets of construction law including

contract claims, extras, surety bonds, construction liens, bid disputes, contractor licensing, delay claims, indemnification, construction defects, MIOSHA violations, and Builders Trust Fund. Aileen completed her undergraduate studies in business and history magna cum laude at Alma College and she received her law degree from Indiana University.

Aileen is a member of several local, state and national bar associations and several trade organizations including the Michigan Chapter, Associated General Contractors (Legal Advisory Committee, 1997 - ), Associated Builders and Contractors, Western Michigan (Board Member 2004 - ), National Association of Women in Construction Chapter 194 (Board Member 2000-2002), and the Grand Rapids Home and Building Association (Ethics Committee, 1999 - ). Ms. Leipprandt has lectured and authored on a variety of topics involving contract and construction law including Alternative Dispute Resolution, Bidding on Public Works, Public Works Act, MIOSHA Compliance, and the Michigan Construction Lien Act.

Beginning in 1993, Aileen has been active in the Heart of West Michigan United Way and she currently serves as Co-Chair of the Children Ready to Succeed Investment Council. She also volunteers for Habitat for Humanity and is a member of the White Pines United Methodist Church.

### **David M. Lick, ESO.**

David M. Lick is a Shareholder and Director of the firm Loomis, Ewert, Parsley, Davis & Gotting, P.C., Lansing, concentrating in construction, infrastructure, commercial law, and litigation with over 30 years experience in contract drafting, negotiating and corporate restructuring; mediating, arbitrating and litigating in state and federal court.

His experience includes representing state and local governments, national corporations, contractors, developers, architects and engineers. Mr. Lick was a member of the Environmental Financial Advisory Board to the U.S. EPA; and is a member of: the American Bar Association Forum on the Construction Industry, Associated General Contractors, and Michigan Road Builders Association; associate member of the American Institute of Architects; and an arbitrator for the American Arbitration Association.

He has lectured to many construction groups and authored numerous articles. Mr. Lick graduated from Michigan State University Honors College with a B.A. in Accounting (1967) and the University of Michigan Law School (1970).

### **Frank T. Mamat**

Frank T. Mamat is an attorney with Dickinson Wright PLLC, Detroit. His areas of practice include construction and labor & employment relations.

He has had prominent assignments and is experienced in the following areas: Federal and State OSHA, Construction, Union Matters, Contract Negotiations, Unfair Labor Practice Litigation, National Labor Relations Board and Union Organizing Attempts. He has served in the Executive Office of the President of the United States, Inquiries/Comments, and as Senior Counsel in the National Labor Relations Board, General Counsel's Office, Division of Enforcement Litigation, Washington, D.C.

He received his law degree from (J.D.) Syracuse University College of Law, 1974 and his B.A., University of Rochester, 1971. He is a member of the American Bar Association, Federal Bar Association—Member, Labor Law Committee, 1976—present, Florida Bar Association—Member, Labor Law Committee, American Employment Law Council, American Society of Employers—Vice Chairman, 2002; Chairman, 2003—present, Construction Code Commission of Michigan—Member, 1993—present; Chairman, 1999—present, Construction Finance Management Association—Board of Directors, 2001—present, Michigan Association of Home Builders—State Board of Directors, 1996—present, National Labor Relations Board—Member, Committee on Practice and Procedure, Region 7, and the Anti-Defamation League—Board of Directors, 1990—present.

He is the founding editor of the Michigan Employment Law Letter and contributes publications to organizations including the American Bar Association, Air Conditioning Contractors of America, American Subcontractors Association, Associated General Contractors, The Cambridge Institute, and Construction Financial Management Association and is a frequent lecturer on labor and OSHA issues. Frank was elected to the College of Labor & Employment Lawyers in 2001, Who's Who in American Law, since 1986, Who's Who in Finance and Industry, since 1986 and Who's Who of Emerging Leaders in America, and Who's Who in the World since 1987.

**Chris Parfitt**

Chris Parfitt is a partner with the law firm of Deneweth, Dugan & Parfitt, P.C. in Troy, Michigan. He received his B.A. degree, *magna cum laude*, from the University of Detroit and his J.D. degree from the University of Michigan.

Mr. Parfitt's practice areas include construction law including litigation, arbitration, liens, claims and employment issues for management such as wrongful discharge and discrimination. His practice also includes surety matters including payment and performance bond claims. He represents clients in state and federal courts and before the American Arbitration Association.

Mr. Parfitt is currently a member of the American Bar Association (Construction Industry Forum), State Bar of Michigan and Oakland County Bar Association. His firm is an associate member with the Associated General Contractors of America (Greater Detroit Chapter).

**Dennis B. Schultz**

Dennis B. Schultz is a shareholder practicing in the Bloomfield Hills office of Butzel Long. He is an honors graduate of Wayne State University (B.S., 1970) and the Detroit College of Law at Michigan State University (J.D., Cum Laude, 1977), where he was Editor-in-Chief, Detroit College of Law Review, 1977. Prior to beginning his legal career, he spent over 10 years in construction and real estate development.

Mr. Schultz represents owners, design professionals, general contractors, construction managers and subcontractors in negotiation and drafting contract documents and negotiating settlements of claims on a variety of construction projects, including design, product and system performance, contractor performance and numerous contract disputes.

Mr. Schultz has served as Practice Group Manager of the Firm's Business Litigation Practice Group. He is a member of the American Bar Association, is a member of the ABA Dispute Resolution and Construction Litigation Sections as well as the ABA Forum on the Construction Industry. He is also a member of the State Bar of Michigan and a member of the Construction Law, Alternative Dispute Resolution (ADR), Real Estate, and Litigation Sections of the State Bar of Michigan. He has been appointed to the Associated General Contractors Legal Advisory Committee, is a Professional Affiliate of the American Institute of Architects and is the Firm's corporate member representative to the Michigan Society of Professional Engineers. He has served as an instructor and frequent lecturer on the revised AIA contract documents, design/build, construction liens, construction bonds and contract administration. He is listed in Who's Who in American Law and Who's Who in America.

**John M. Sier**

John M. Sier, principal, Kitch, Drutchas, Wagner, DeNardis & Valitutti, P.C., Detroit, concentrates in his practice on dispute avoidance and resolution of commercial and construction contract issues and is the head of the Firm's commercial litigation group. Mr. Sier has extensive experience in the legal aspects of various project delivery methods including drafting construction contracts as well as assisting in dispute resolution and project completion.

He received his undergraduate degree from Loyola University of Chicago in 1983 and his Masters of Arts in Mass Communication and Journalism from Drake University Graduate School as well as his Juris Doctor from Drake University Law School in 1986. Included among his professional affiliations, Mr. Sier is a Past-President of the Catholic Lawyers Society, sits as a neutral arbitrator on the American Arbitration Association Construction Panel and holds the designation of Construction Document Technologist (CDT) from the Construction Specifications Institute. He has published articles and presented seminars on construction and commercial issues in various locations around the country.

**Jeffrey S. Theuer**

Jeffrey S. Theuer is a Shareholder with the Lansing-based law firm of Loomis, Ewert, Parsley, Davis & Gotting, P.C.

He regularly counsels construction clients in a wide range of legal matters, including claims, construction liens, bond claims, contract and payment disputes, environmental law, and bankruptcy claims. Mr. Theuer is also an experienced litigator, and has appeared in courts and in arbitration on a nationwide basis. He is admitted to practice in all federal and state courts in Michigan, Maryland, the Court of Federal Claims in Washington, D.C., as well as other jurisdictions.

He holds a Bachelor of Arts degree from the University of Michigan, and a Juris Doctor degree from the University of Kentucky, College of Law, where he was Associate Editor of the Kentucky Law Journal. He earned an LL.M. degree in Environmental Law from The George Washington University National Law Center in Washington, D.C. Mr. Theuer has authored several publications in legal and trade journals including the Thomas M. Cooley Law Review, the Michigan State University-Detroit College of Law Review, and the Kentucky Law Journal. He is a member of the ABA Construction Industry Forum, and the Michigan Bar Association Section on Environmental Law.