Introduction to Construction Litigation
Handbook 2020 Edition

This work provides an overview of all aspects of construction litigation as explained by courts across the country. It will aid the practitioner in drafting, interpreting, and enforcing public and private agreements. Taken into consideration are disputes relating to the obligations of all parties involved in executing, financing, and insuring a project. The reader will learn how to steer a dispute through the litigation process.

This edition now includes cases discussing these emerging issues:

- [New] Choice of law
  Pitzer College v. Indian Harbor Insurance Company, 8 Cal.5th, 447 P.3d 669, 251 Cal.Rptr.3d 701 (2019). Chapter 3

- [New] Apportionment of damages

- [New] Implied warranty of fitness for a particular purpose

- [New] Labor Law
  National Labor Relations Board v. International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers, Local 229, 941 F.3d 902 (2019). Chapter 16

- [New] Environmental impact
  Stophthemillenniumhollywood.com v. City of Los Angeles, 39 Cal.App.5th 1, 251 Cal.Rptr.3d 296 (2019). Chapter 16

- [New] Corporate veil
  Sereda v. Center City Acquisitions, LLC, 222 A.3d 1161, 2019 PA Super 337 (2019). Chapter 16

- Offer and acceptance/agency/arbitration—contrary opinions issued on essentially the same underlying facts

- Conditions precedent/arbitration—contrary opinions issued on essentially the same underlying facts
• Professional liability insurance—superseding opinion
• Prompt Payment Act—superseding opinion
  United Riggers & Erectors, Inc. v. Coast Iron & Steel Co. 4 Cal.5th 1082, 232 Cal.Rptr.3d 428, 416 P.3d 792 (2018). Chapter 16

This edition also incorporates recent case law addressing the following points of law, among others:

• Public contracts

• Unconscionability

• Waiver

• Damages

• Mechanic’s lien

• Strategic Lawsuit Against Public Participation (SLAPP)

- Liability of architect or engineer

As construction relationships become increasingly complex (as do opportunities for incurring liability), construction litigation continues to expand. We work diligently each year to make this publication the most important resource available on this topic, and hope that you will find it valuable in your practice. Many thanks for your subscription.

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