

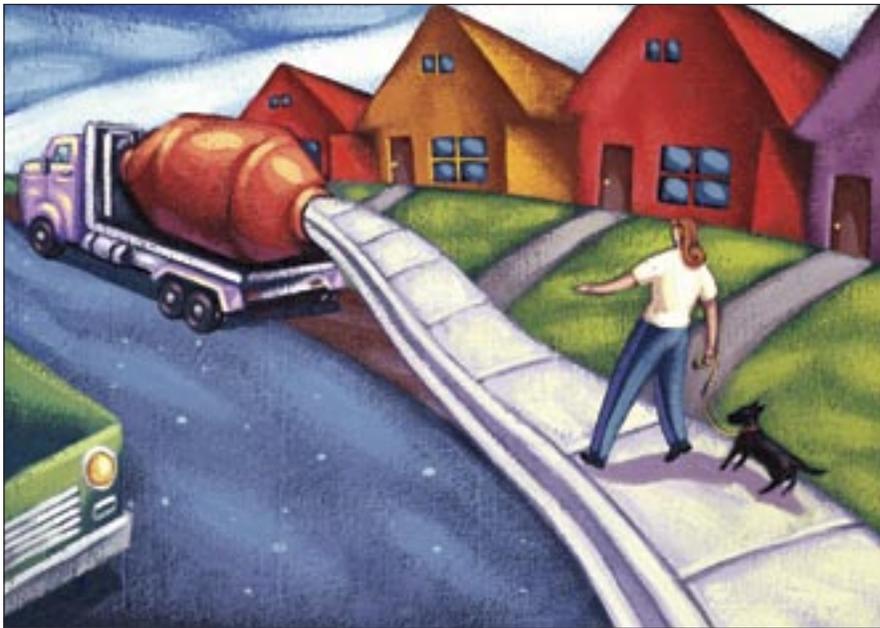
CONSTRUCTION LAW CONFERENCE

*Construction contracts, subcontracts, A&E contracts, scheduling,
payment, liability, insurance and more.*

Special Session The TRCCA, One Year Later

Earn up to 11.50 Hours of MCLE Credit

Also available: TREC Credit, TDI Credit, CPE Credit for Accountants
and CEP Credit for Professional Engineers (P.E. credit required as of Jan. 2005)



October 21-22, 2004
Sheraton Suites Hotel
Houston, Texas

CONSTRUCTION LAW CONFERENCE

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Earn up to 11.50 Hours of MCLE Credit — MCLE Course Number 000068715

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| THURSDAY MORNING | THURSDAY AFTERNOON | FRIDAY MORNING |
|--|--|---|
| <p>Presiding Officer: William R. Allensworth, Austin</p> <p>8:00 a.m. Registration Opens Includes continental breakfast.</p> <p>8:50 a.m. Welcoming Remarks</p> <p>9:00 a.m. (0.75 hour) Construction Contracting: An Introduction to Construction Contracts and to Project Delivery Systems An overview of the contractual relationships between members of the construction team, the use (and abuse) of form contracts, and the significance of contracts to construction litigation. William R. Allensworth, Austin</p> <p>9:45 a.m. (0.75 hour) Understanding the General Contract Fundamental discussion of the basic issues of the general contract, with particular emphasis on the AIA General Conditions A-201, including scope of work, payment, quality of work/ performance, warranties, schedule and risk allocation. This topic shall also address the bid process and its impact on the General Contract. Gregory M. Cokinos, Houston</p> <p>10:30 a.m. Break</p> <p>10:45 a.m. (0.50 hour) Subcontracts This session will discuss subcontract drafting considerations, especially identification and analysis of frequently disputed subcontract provisions. Patrick Gaas, Houston</p> <p>11:15 a.m. (0.75 hour) Architecture and Engineering Contracts A survey of Texas law governing the relationships and duties of design professionals with guidelines for contract drafting. Chris S. Stacy, Austin</p> <p>12:00 p.m. Lunch on your own</p> | <p>Presiding Officer: Chris E. Ryman, Houston</p> <p>1:15 p.m. (0.50 hour) Show Me the Money: Payment and Securing Payment A review of issues arising under mechanic's lien and bond claims, trust fund theory, contractor's certificates, pay-when-paid clauses, and other vehicles ensuring (or obstructing) payment for construction work. C. A. (Joe) Davis, Austin</p> <p>1:45 p.m. (0.50 hour) Time is Money Schedule and completion issues including delay damages, waivers of delay claims, time extension provisions, concurrent delays and acceleration claims. Jeffrey A. Ford, Dallas</p> <p>2:15 p.m. (1.00 hour) Residential Construction Contracts The speakers will discuss contrasting views of owners and builders on contract provisions relating to risk shifting, limitations on liability and relationships with third parties. Bruce W. Merwin, Houston Stephen B. Paxson, Houston</p> <p>3:15 p.m. Break</p> <p>3:30 p.m. (0.25 hour) TRCCA Overview What a difference a year makes! The TRCC—a year in review. John R. Krugh, Houston</p> <p>3:45 p.m. (1.50 hour) Texas Residential Construction Commission Act (TRCCA) A moderated question and answer discussion designed to inform you about how the commission works, practice tips for attorneys, and to allow the audience to ask questions. Chris E. Ryman, Houston, Moderator Clayton C. Cannon, Houston Patrick H. Cordero, Jr., Midland Gregory Harwell, Dallas John R. Krugh, Houston</p> <p>5:15 p.m. Adjoin to reception Sponsored by: Rimkus Consulting Group, Inc.</p> | <p>Presiding Officer: C. A. (Joe) Davis, Austin</p> <p>8:00 a.m. Conference Room Opens Includes continental breakfast.</p> <p>8:30 a.m. (0.50 hour) Warranties and Quality Control Express and implied warranties in contract documents. Analysis of historical and recent case law. David D. Peden, Jr., Houston</p> <p>9:00 a.m. (0.50 hour) Contracting with the Government Contracting with the State of Texas, its agencies and local governments is full of snap and surprises. We will focus on the most significant, beginning with the State's immunity from suit. George C. Baldwin, Austin</p> <p>9:30 a.m. (0.50 hour) Dispute Resolution Clauses A survey of dispute resolution provisions prevalent in major segments of the construction industry with an emphasis on those provisions that work and those that are problematic. William K. Andrews, Houston</p> <p>10:00 a.m. Break</p> <p>10:15 a.m. (0.75 hour) Looking For Money in All the Right Places — Risk Allocation Devices in Construction Cases. Including discussions of contractual indemnity, coverage for additional insureds, certificates of insurance, subcontractor and independent contractor exclusions, contractual agreements to procure insurance, wrap-ups, wrap-arounds, subrogation and waiver of subrogation, and allocation or priority of coverage. Michael W. Huddleston, Dallas</p> <p>11:00 a.m. (0.75 hour) CGL Coverage For Defective Construction: The Saga Continues This presentation will cover property damage, occurrence, business risk exclusions and performance bond/economic loss arguments. Lee H. Shidlofsky, Austin</p> <p>11:45 a.m. Lunch on your own</p> |

FRIDAY AFTERNOON

Presiding Officer:
William R. Allensworth, Austin

1:00 p.m. (0.75 hour)

Theories of Liability in Construction Litigation

This topic will cover contract and tort theories of liability, the economic loss rule, risk shifting issues and defenses encountered in construction litigation.

John Alex Huddleston, San Antonio

1:45 p.m. (1.25 hour)

Handling Construction Claims in Practice: Plaintiff and Defense Perspectives on Effective Trial and Settlement Strategies

The panelists will discuss some of the practical aspects of construction litigation, including litigation strategy and theories of liability and defense.

William R. Allensworth, Austin, Moderator
Gregory M. Cokinos, Houston
John Alex Huddleston, San Antonio
David D. Peden, Jr., Houston

3:00 p.m. Adjourn

2004 Construction Law Conference

This conference is ideal for beginning and intermediate practitioners, as well as anyone in the construction industry — including engineers, architects, developers, builders, lenders, and real estate agents. Get an in-depth look at contracts, scheduling, liability and insurance. Highlights include a TRCCA overview, special sessions on subcontracts and A&E contracts, plus presentations on payment and insurance issues.

Mail this registration form or fax a copy to: **(512) 475-6876**

REGISTRATION FOR CL04
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REGISTRATION
Includes Course Binder

- Early Registration Fee due by Wed., October 13, 2004 \$375.00
- Registration Fee after Wed., October 13, 2004 \$425.00

CONFERENCE PUBLICATIONS AND MEDIA
Available by November 15, 2004.

- Course Binder \$200.00
Note: Conference registration includes course binder.
- Audio CD Set \$175.00
- eBinder on CD (PDF format) \$200.00/\$50.00
(\$200 purchased alone, \$50 with registration or purchase of Course Binder or Audio CD Set)

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The Construction Law Conference generates the year's definitive set of resource materials. Don't miss a comprehensive guide of sample contracts and forms, checklists, the latest industry developments, and practical tips – over 500 pages of user-friendly materials.

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HOUSTON

Oct. 21-22, 2004

CONFERENCE LOCATION



Sheraton Suites Hotel
2400 West Loop South
Houston, TX 77027
(800) 325-3535

\$129 single or double special
group rate good through
September 24, 2004

Self-parking: \$7 daily, \$10 overnight
Valet-parking: \$8 daily, \$15 overnight

KEY DATES:

Cancellations & last-minute registrations

October 13, 2004, 5 p.m.

• **last day for early registration**
add \$50 for registrations
received after this time

October 15, 2004, 5 p.m.

• **last day for full refund**

October 18, 2004, 5 p.m.

(Monday before conference)
• **last day for partial refunds**
(\$50 processing fee applied)

October 21, 2004, 9 a.m.

• **conference begins**

**M
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This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 11.50 hours, of which 0.00 credit hours will apply to legal ethics/professional responsibility credit.

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Visit www.utcle.org for registration and program updates.

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Specialization credit expected for: Civil Trial Law, Consumer & Commercial Law, Real Estate Law

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