

**2004 Construction Law Conference**  
**October 21-22, 2004 • • Houston,**  
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**Day 1 Morning**

9:00 am In Houston Only 0.75 hr	<b>Construction Contracting: An Introduction to Construction Contracts and to Project Delivery Systems</b>  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, Allensworth And Porter, L.L.P. - Austin, TX
9:45 am In Houston Only 0.75 hr	<b>Understanding the General Contract</b>  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 Michael Cokinos, Cokinos Bosien & Young - Houston, TX
10:45 am In Houston Only 0.50 hr	<b>Subcontracts</b>  This session will discuss subcontract drafting considerations, especially identification and analysis of frequently disputed subcontract provisions.  Patrick E. Gaas, Coats Rose Yale Ryman & Lee, P.C. - Houston, TX
11:15 am In Houston Only 0.75 hr	<b>Architecture and Engineering Contracts</b>  A survey of Texas law governing the relationships and duties of design professionals with guidelines for contract drafting.  Chris S Stacy, DuBois Bryant Campbell & Schwartz - Austin, TX

**Day 1 Afternoon**

1:15 pm In Houston Only 0.50 hr	<b>Show Me the Money: Payment and Securing Payment</b>  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.  Carleton A. Davis, Brown McCarroll LLP - Austin, TX
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1:45 pm In Houston Only 0.50 hr	<b>Time Is Money</b>  Schedule and completion issues including delay damages, waivers of delay claims, time extension provisions, concurrent delays and acceleration claims.  Jeffrey A. Ford, Ford, Nassen, & Baldwin PC - Dallas, TX
2:15 pm In Houston Only 1.00 hr	<b>Residential Construction Contracts</b>  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, Haynes & Boone LLP - Houston, TX Stephen Bond Paxson, Coats, Rose, Yale, Ryman & Lee, P.C. - Houston, TX
3:30 pm In Houston Only 0.25 hr	<b>TRCCA Overview</b>  What a difference a year makes! The TRCC—a year in review.  John R. Krugh, Houston, TX
3:45 pm In Houston Only 1.50 hrs	<b>Texas Residential Construction Commission Act (TRCCA)</b>  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.  Clayton Crockett Cannon, Stumpf Craddock Massey & Pulman - Houston, TX Patrick H. Cordero Jr., Attorney at Law - Midland, TX Gregory Alan Harwell, Gardere & Wynne - Dallas, TX John R. Krugh, Houston, TX Chris E. Ryman, Coats Rose - Houston, TX

## Day 2 Morning

8:30 am In Houston Only 0.50 hr	<b>Warranties and Quality Control</b>  Express and implied warranties in contract documents. Analysis of historical and recent case law.  David D. Peden Jr., Porter & Hedges, LLP - Houston, TX
9:00 am In Houston Only 0.50 hr	<b>Contracting with the Government</b>  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, Lloyd, Gosselink, et al - Austin, TX
9:30 am In Houston Only 0.50 hr	<b>Dispute Resolution Clauses</b>  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, Andrews Myers Coulter & Cohen PC - Houston, TX

10:15 am In Houston Only 0.75 hr	<p><b>Looking for Money in All the Right Places - Risk Allocation Devices in Construction Cases</b></p> <p>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.</p> <p>Michael Wallace Huddleston, Shannon Gracey Ratliff &amp; Miller LLP - Dallas, TX</p>
11:00 am In Houston Only 0.75 hr	<p><b>CGL Coverage for Defective Construction: The Saga Continues</b></p> <p>This presentation will cover property damage, occurrence, business risk exclusions and performance bond/economic loss arguments.</p> <p>Lee Howard Shidlofsky, Nickens Keeton Lawless Farrell &amp; Flack - Austin, TX</p>

## Day 2 Afternoon

1:00 pm In Houston Only 0.75 hr	<p><b>Theories of Liability in Construction Litigation</b></p> <p>This topic will cover contract and tort theories of liability, the economic loss rule, risk shifting issues and defenses encountered in construction litigation.</p> <p>John Alex Huddleston, Strasburger &amp; Price - San Antonio, TX</p>
1:45 pm In Houston Only 1.25 hrs	<p><b>Handling Construction Claims in Practice: Plaintiff and Defense Perspectives on Effective Trial and Settlement Strategies</b></p> <p>The panelists will discuss some of the practical aspects of construction litigation, including litigation strategy and theories of liability and defense.</p> <p>William R. Allensworth, Allensworth And Porter, L.L.P. - Austin, TX  Gregory Michael Cokinos, Cokinos Bosien &amp; Young - Houston, TX  Michael Wallace Huddleston, Shannon Gracey Ratliff &amp; Miller LLP - Dallas, TX  David D. Peden Jr., Porter &amp; Hedges, LLP - Houston, TX</p>