

2007

CONSTRUCTION LAW

Earn up to 12.75 Hours of MCLE Credit Including 2.25 Hours of Ethics Credit

CEP Credit for Engineers available



October 11-12, 2007

Belo Mansion

Dallas, Texas

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2007
CONSTRUCTION LAW

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CEP Credit for Engineers available

THURSDAY MORNING

Presiding Officer:
Michael B. Gerstle, Dallas, TX

8:00 a.m. Registration Opens

Includes continental breakfast.

8:50 a.m. Welcoming Remarks

9:00 a.m. .75 hr

A Primer on Delivery Systems and Corresponding Contract Forms

This program will review construction delivery systems in vogue today, contrasting traditional design-big-build with CM and design-build.

John R. Hawkins, Houston, TX
Amy Lucas, Houston, TX

9:45 a.m. 1.00 hr

AIA Doc 201: Evolution and New Changes

AIA Document 201 is the foundational document used to describe the typical relationship between Owner and Contractor. This session looks at how this key document has evolved and at expected changes in 2007.

Mark D. Petersen, San Francisco, CA
Commentator: Michael B. Gerstle, Dallas, TX

10:45 a.m. Break

11:00 a.m. .75 hr

A Litigator's View of Troublesome Contract Clauses

An overview of common AIA contracts that will highlight troublesome clauses for owners, contractors and design professionals.

Chris S. Stacy, Austin, TX

11:45 a.m. .50 hr

Reaching the Contractor's CGL Policy: A Primer on Where We Are and Where We're Going

An overview of current trends with CGL coverage as it relates to construction defect litigation. In addition, the discussion will address developments with respect to the law on trigger, extrinsic evidence, and declaratory judgments.

Lee H. Shidlofsky, Austin, TX

Luncheon Presentations

12:15 p.m. Pick Up Box Lunch

Included in conference registration fee.

12:30 p.m. .50 hr ethics

Conflicts Involving Construction Issues: The Engineer Perspective

Mark H. McGivern, Bedford, MA

1:00 p.m. .50 hr ethics

Conflicts Involving Construction Issues: The Legal Perspective

W. Wade Porter, Austin, TX

THURSDAY AFTERNOON

Presiding Officer:
Clayton C. Cannon, Houston, TX

1:30 p.m. 1.00 hr

Insuring the Construction Project: Drafting Strategies, Risk Management Considerations, and Insurance Options

A broad discussion of key issues in managing risk in connection with construction projects, including strategies regarding builder's risk coverage, consideration of drafting issues for insurance procurement and contractual indemnity provisions, drafting to obtain statutory employer protection under the Workers Compensation Act, currently available insurance products and their pluses and minuses, and additional insured issues and considerations.

Burl Daniel, Fort Worth, TX
Blake S. Evans, Dallas, TX
Michael W. Huddleston, Dallas, TX

2:30 p.m. .50 hr

The Condominium Craze: Managing the Players, the Project, and the Potential Liability

Condominium construction has become a craze in Texas in recent years. This presentation seeks to address the legal affects and potential liabilities associated with the discovery of condominium defects.

Allison J. Snyder, Houston, TX

3:00 p.m. Break

3:15 p.m. .75 hr

Employment Law, Labor Law, and Immigration Issues on Construction Projects

A look at those employment laws that affect contractor's on the jobsite—including discrimination claims, harassment issues, OSHA considerations, NLRA issues and immigration issues—and what contractor's should be doing to avoid problems or deal with them when they arise.

Linda Ottinger Headley, Houston, TX

4:00 p.m. .50 hr

Construction Permits: Rights and Obligations

A discussion of the rights and obligations triggered for owners, contractors, the city, and others by the issuance of building permits, especially if issued in error.

C. A. (Joe) Davis, Austin, TX

4:30 p.m. .50 hr

Hot Topics in Construction Litigation

This presentation will cover the latest cases on the issues most common in construction litigation, including the economic loss doctrine, warranty claims and measures of damages.

Clayton C. Cannon, Houston, TX

5:00 p.m. Adjourn

FRIDAY MORNING

Presiding Officer:
Richard E. Schellhammer, Dallas, TX

8:30 a.m. .50 hr

Securing Payments for Construction Projects

Discusses methods and strategy for securing payments to contractors, subcontractors, suppliers, and others involved in Texas construction projects, with focus on mechanic's liens and payment bond claims.

J. Keith Webb, Dallas, TX

9:00 a.m. .50 hr

2007 Construction Law Legislative Update

An update and resource guide to the construction related legislation passed in 2007.

James L. Dougherty Jr., Houston, TX

9:30 a.m. .50 hr

Top 10 Mistakes by Design Professionals

Design professionals often manage risks with a "reactive" approach, that is addressing issues only after the "oops" moment has struck. This presentation will highlight mistakes common to professional designers and emphasize the benefits of a "proactive" approach, designed to minimize your exposure and your stress levels.

Matthew B. Cano, Austin, TX
Leonard G. Lane Jr, Houston, TX

10:00 a.m. Break

10:15 a.m. 1.00 hr ethics

Arbitration and Alternative Dispute Resolution Options for Construction Disputes

Resolving construction disputes through arbitration, mediation, and other dispute resolution mechanisms: from the parties', the attorneys', the mediator's and the arbitrator's perspective. Pros and cons of various dispute resolution mechanisms.

Karl Bayer, Austin, TX
Donald E. Hemke, Tampa, FL

11:15 a.m. .75 hr including .25 hr ethics

E-Discovery: A Guide for Construction Litigation

Understanding and minimizing the impact of e-discovery on construction business.

Thomas H. Watkins, Austin, TX

FRIDAY AFTERNOON

Presiding Officer: Anne P. Stark, Dallas, TX

Luncheon Presentation

12:00 p.m. Pick Up Box Lunch

Included in conference registration fee.

12:30 p.m. 1.00 hr

Demo: HVAC Defects

Through the use of a mock-up, this session will illustrate common construction defects related to light commercial/residential air conditioning equipment. There will be a mock-up of an operating air conditioning system with viewing windows to showing the internal parts, fans that circulate the air and water used to simulate condensation. This demonstration will allow participants to actually put their hands on and see firsthand the most common construction defects found in air conditioning systems.

Moderator: Richard E. Schellhammer, Dallas, TX
Jeffery H. Peters, Houston, TX

1:45 p.m. .50 hr

Rights and Remedies Involving Inspections Including Third Party Inspections

A presentation about theories of liability, standard of care, defenses, insurance considerations, and

effective contractual liability limitations in claims against inspectors.

Charles J. Cain, Austin, TX

2:15 p.m. .75 hr

Update on the TRCCA and Residential Construction Litigation

The discussion will include recent amendments to the

Texas Residential Construction Commission Act in H.B. 1038 and the pitfalls of the dispute resolution process (SIRP) for clients and practitioners. This session will address the progression of a typical construction defect claim from first notice through the state inspection, RLCA offer, and final resolution.

Anne P. Stark, Dallas, TX

3:00 p.m. Adjourn

REGISTRATION FOR CL07

Mail this registration form to: The University of Texas School of Law, Attn. CL07 P.O. Box 7759, Austin, TX 78713-7759 or fax a copy to: (512) 475-6876
Online registration available at www.utcle.org

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Invoices, confirmations, and receipts are emailed to these addresses.

REGISTRATION

Includes Course Binder, Thurs/Fri Box Lunch Presentations

Early Registration Fee due by Wed., October 3, 2007 \$435.00

Registration Fee after Wed., October 3, 2007 \$485.00

CONFERENCE PUBLICATIONS AND MEDIA

Allow 2-4 weeks from conference date for delivery.

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)

In-House CLE: Bring the conference in-house and learn at your convenience.

Allow 2-4 weeks from conference date for delivery.

In-House CLE for 2 includes Audio CD Set and 2 Course Binders \$750.00

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DALLAS
October 11-12, 2007
CONFERENCE LOCATION



Belo Mansion

2101 Ross Avenue
 Dallas, TX 75201
 214-220-0239

Self-parking: \$5 (before 9 am),
 \$8 (after 9 am.)

Nearby accommodations:

Fairmont Hotel
 1717 N. Akard St.
 Dallas, TX 75201
 214-720-5290

SPECIAL RATE \$179
 good through September 10, 2007
 (subject to availability)
 Parking: \$14 Self parking;
 \$20 Overnight parking

KEY DATES

Registration & Cancellation

October 3, 2007–5 p.m.
last day for early registration
 add \$50 for registrations
 received after this time

October 5, 2007–5 p.m.
last day for full refund

October 8, 2007–5 p.m.
last day for partial refunds
 \$50 processing fee applied

October 11, 2007–9 a.m.
conference begins

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