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Eastman & Smith Starts New Practice Group: Construction Law

Fourteen Eastman & Smith attorneys have united their legal skills and work experience to form the Construction Law Practice Group. It comprises a diverse group of attorneys who represent clients with construction-related matters. Clients include such public entities as counties, public schools and municipalities, as well as private owners, contractors, subcontractors, architects and engineers. Because of the diversity of our clients and the legal issues they face, the Practice Group brings together attorneys from all of our major practice sections (Business Litigation, Business Law, Real Estate, Labor & Employment and Public Law) to provide our clients with the multi-faceted representation necessary.

Myriad legal issues can confront our clients before, during and after a construction project, and we can assist at every stage. We can help with the common early issues, such as site acquisition; zoning and land use matters; competitive bidding; contract negotiations and drafting; as well as unique situations including environmental matters, economic development incentives and tax issues. We also can assist with project and risk management after the project is underway, including handling disputes that arise during or after the project. Several of our attorneys have assisted clients with the litigation, arbitration and mediation of construction disputes. We deal frequently with mechanics' liens, both for those needing to perfect them and those trying to avoid them. In addition, we help

clients with labor and employment issues, including OSHA compliance and related litigation, workers' compensation and intentional workplace torts.

The Construction Law Practice Group provides our clients with prompt, effective legal counsel whatever their construction-related needs. Feel free to contact any of our attorneys to discuss how we may be of assistance to you. Attorneys in this Practice Group are:



Matthew D. Harper: Mr. Harper is a member of the Firm and is admitted in Ohio and Michigan state and federal courts. He represents owners, contractors, subcontractors and suppliers in complex, multi-party commercial construction disputes. He provides representation to parties involved in residential projects as well. Mr. Harper advises clients regarding mechanic's liens in Ohio and Michigan and has co-authored two articles on the topic for *LawTrends*. He also represents clients in disputes involving real estate, land use and zoning and eminent domain.



Connie S. Swemba: The construction law practice of Ms. Swemba, an associate of the Firm, has included the representation of contractors, owners and suppliers in pre-litigation, as well as, litigation settings. Prior to law school, Ms. Swemba worked in the construction industry for twenty-one years as a pipefitter/welder and remains an active member of Local 50, Plumbers & Steamfitters. Ms. Swemba is also a licensed plumber and licensed steamfitter. In addition to construction law, Ms. Swemba's practice focuses on personal injury, business law and professional liability. She is admitted in Ohio.



Gene R. Abercrombie: Mr. Abercrombie, who is a member of the Firm, practices real estate law, with an emphasis on transactions, zoning and planning, and real estate brokerage law. He is admitted to Ohio. Mr. Abercrombie has served as vice president and general counsel of a local real estate services corporation and on the Springfield Township Board of Zoning Appeals. He co-authored two articles on mechanics' liens for *LawTrends*.



Henry N. Heuerman: Mr. Heuerman is a member of the Firm and has served as primary counsel for public and private owners in connection with the negotiation, drafting and administration of construction contracts for multi-million dollar projects. Frequently he has represented both owners and contractors in litigation, arbitration and mediation proceedings on a variety of construction and real estate related issues. Mr. Heuerman is admitted to practice in Ohio as well as the U.S. District Court, Eastern District of Michigan.



Scott A. Johnson: An associate of the Firm, Mr. Johnson focuses on real estate law. Mr. Johnson also has litigated intellectual property infringement claims and prosecuted federal trademark applications. He is admitted to practice in the states of Ohio and Georgia.



M. Charles Collins: Chuck Collins, a member of the Firm, has litigated an array of construction-related disputes, including cases of alleged negligence by a roofing contractor, product liability complaints asserted against shingle manufacturers and a lien enforcement and defense matter. He also has assisted clients with moisture concerns resulting from material and workmanship deficiencies. Mr. Collins is admitted to practice in multiple federal districts, and has argued cases before the Ohio Supreme Court and the Sixth Circuit Court of Appeals.



Amy J. Borman: Ms Borman, a Firm member, has handled the legal documentation and issues of major manufacturing plant expansions as well as performance guaranties from engineers associated with those projects. Ms Borman understands project documentation and protection for demolition and commercial projects in every type of construction or payment format. She has experience in projects using overseas suppliers or engineers and in the interaction of U.S. and foreign laws in the construction arena. She is admitted in both Ohio and Michigan.



Stuart J. Goldberg: Mr. Goldberg's construction litigation practice has included statewide defense counsel for a manufacturer/supplier of an Exterior Insulation Finishing System (EIFS), as well as litigation involving water intrusion through windows and walls, fire and casualty claims, mold infestation, and negligence claims between and among owners, contractors, suppliers, appraisers and inspectors. Mr. Goldberg, a member of the Firm, has been admitted to practice in Ohio, the U.S. District Courts of Ohio and the Eastern District of Michigan as well as the U.S. Court of Appeals for the Sixth Circuit.



James L. Rogers: Mr. Rogers is a member of the Firm who concentrates his practice in commercial litigation, copyright infringement, will contests, creditor's rights and business transactions. He is admitted in Ohio and Michigan.



Lane D. Williamson: A Firm member, Mr. Williamson's practice concentrates on real estate law and related areas of law such as annexation, zoning and planning, land use and eminent domain. He handles real estate assemblage transactions and routinely appears before zoning boards and administrative panels on matters involving the various entitlements necessary to develop real estate. Mr. Williamson was President of the Executive Committee of the Wood County Economic Development Commission in 2006 and 2007 and is admitted in Ohio.



Albin Bauer II: Mr. Bauer, a member of the Firm, practices in the areas of public law, environmental law, school law and constitutional issues. Mr. Bauer's experience includes public contract negotiation and drafting, competitive bidding dispute resolution, development of legislation and local regulations, open meetings and public records issues, taxpayer litigation, injunctions and litigation of constitutional and public law matters. He is admitted in Ohio and Michigan.



Steven D. Reinbolt: A Firm member, Mr. Reinbolt's principal areas of practice include property acquisitions, property divestitures and leasing, public and private real estate financing, land use planning and business law. He has published an article in *LawTrends* on government incentives for real estate. Mr. Reinbolt is admitted in Ohio and Michigan.



James B. Yates: Mr. Yates is a member of the Firm. He represents public and private sector employers in all facets of labor and employment law matters including collective bargaining, general personnel planning and counseling, equal employment opportunity matters, workers' compensation and compliance with ADA, FMLA and FLSA. Mr. Yates is admitted in Ohio.



D. Casey Talbott: Mr. Talbott, a member of the Firm, has broad-based experience defending premises owners, general contractors and subcontractors with respect to wrongful death and significant personal injury claims, as well as fire loss, mold infestation and construction defect claims. Mr. Talbott is admitted in Ohio and to the U.S. District Court, Northern District of Ohio and the U.S. Sixth Circuit Court of Appeals.

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