



CONSTRUCTION LAW SECTION

The State Bar of Texas

In cooperation with the Texas Institute of Continuing Legal Education

CONSTRUCTION LAW SPECIALIZATION REVIEW COURSE

SEPTEMBER 27, 2016

State Bar of Texas Law Center, 1414 Colorado Street (Hatton Sumners Room), Austin, TX 78701

Earn up to 5.0 Hours MCLE Credit!

8:15 a.m. **REGISTRATION OPENS**

9:00 a.m. **WELCOME ON BEHALF OF THE CONSTRUCTION LAW SECTION**

R. Carson Fisk, Andrews Myers, P.C., Austin

COURSE & MATERIALS OVERVIEW

Jason C. Spencer, Journeyman Construction, Austin

9:10 a.m. **SPECIALIZATION 101** – Discussion of the exam format, processes, grading and Q & A.

Leo Figueroa, Executive Director, Texas Board of Legal Specialization, Austin

9:45 a.m. **SESSION 1 TOPICS**

- No Damages for Delay: Does it Actually Mean What it Says?

- No Damage for Delay? Not So Fast!

- Never Can Say Goodbye: *Loneragan* Reaffirmed by Texas Supreme Court 100 Years Later

- Mudwrestling the 162.001 Issue

- The Economic Loss Rule after *EBY*

- Sovereign Immunity

Joseph F. Canterbury, Canterbury, Gooch,

Surratt, Shapiro, Stein & Gaswirth, P.C., Dallas

10:55 a.m. **MORNING BREAK**

11:05 a.m. **SESSION 2 TOPICS**

- The Bond Claim: Working with the Surety Instead of Against It

- Negotiating the Construction Manager At Risk Contract

- Negotiating Tricky Clauses in Prime Contracts: Subcontractors Response to Flowdown Obligations

- Drafting and Negotiation of Design Professional Services Contracts

- Top 10 Topics in Federal Contracts

John W. Nassen, Nassen Mediations, Dallas

12:15 p.m. **NETWORKING LUNCH**

(Included in registration fee.)

1:15 p.m. **SESSION 3 TOPICS**

- Spoliation in Construction Cases

- Blindsided: Statutes That Can Trip-Up the Unsuspecting Lawyer

- Construction Meets Texas Law: Statutory Overrides

- Show Me the Money! Construction Damages: What Can Your Client Recover and How?

- Then and Now: Does Texas Still Have Quirks in Construction Law

Allison J. Snyder, Porter Hedges LLP, Houston

2:30 p.m. **SESSION 4 TOPICS**

- Responsible Third-Party Statute

- *Robinson, Daubert, and McGinty v.*

Hennen: Update on Expert and Evidence in Construction Cases

- The New Normal in Residential Construction

Matthew C. Ryan, Allensworth & Porter, LLP, Austin

3:40 p.m. **ADJOURN**

MCLE Information: This course has been approved for 5.00 hours credit (0 hours ethics) which will apply toward MCLE, the College of the State Bar of Texas and the Texas Board of Legal Specialization in the fields of Real Estate Law, Personal Injury Trial Law, Civil Appellate Law and Civil Trial Law. You must attend all sessions to receive full credit. MCLE credit is available in other states. Please let us know your needs when you register.

CPAs may obtain approximately 6.00 hours of CPE credit toward licensing with the Texas State Board of Public Accountancy.

Sponsor No. 6867.

This course is eligible for MCE credit through the Texas Real Estate Commission.



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GENERAL INFORMATION

Pre-Registration — To ensure sufficient materials are available for all attendees, pre-registration is strongly encouraged. Late registration is subject to additional fees.

Online Registration — Visit www.clesolutions.com to register online using a Visa, MasterCard or American Express.

Registration by Telephone — You may register by telephone by calling 512/451-6960 or by fax 512/451-2911. Faxed and phone-in registrations require a Visa, MasterCard or American Express number, expiration date, security code and billing address.

Cancellations and Refunds — Refunds, less a \$50.00 processing fee, will be given to registrants who cancel by 5:00 p.m. on Friday, September 16. No refunds will be granted thereafter. Course materials on USB drive will automatically be mailed to prepaid registrants who did not receive a refund and were not able to attend.

Course Materials — A temporary link to access the full set of review materials online will be provided to registrants prior to the live course. The full set of course materials on USB drive will be provided onsite to all paid registrants. For an additional fee you also have the option to purchase the printed collection of papers selected from the USB drive that the speakers will be referencing during their presentations.

Hotel Accommodations — There is no group hotel for this event. Numerous hotel options exist in downtown Austin for your convenience.

Parking — There is no available parking at the State Bar of Texas Law Center. Public parking is available for a fee at the Capitol Visitors Parking Garage located at San Jacinto, between 12th and 13th Streets, and at the Moody Bank Building Parking Garage at 400 W. 15th Street.

Special Accommodations — If special arrangements are required for a person with a disability to attend this program, please contact us at 512/451-6960.

REGISTRATION FORM

Mail to: Texas Institute of Continuing Legal Education
2016 Construction Law Specialization Review Course
P.O. Box 4646
Austin, TX 78765-4646

Online at: www.clesolutions.com
Fax Form to: 512/451-2911 (must be accompanied by American Express, Visa or Mastercard Information)
or Phone: 512/451-6960

Please register me for the course as follows:

- Regular Pre-Registration Fee (due by 5 p.m. September 16).....\$195.00 *Lunch is included in your registration fee.
- Registration after 5 p.m. September 16 & before 5 p.m. September 23.....\$245.00
- Registration after 5 p.m. September 23 and at the door.....\$275.00

Course Materials: A temporary link to access the full set of review materials online will be provided to registrants prior to the live course. The full set of course materials on USB drive will also be provided onsite to all paid registrants as part of the registration fee, along with copies of any PowerPoints submitted in advance by the speakers. **An additional \$30.00 plus tax must be included with your registration if you would like to receive (in addition to your USB drive) printed copies of the papers selected from the USB drive that the speakers will be referencing during their presentations.**

- Printed Version of Selected Papers from the USB drive (\$30 + .0825 tax)...\$32.48

I cannot attend the course. Please forward the following:

- All course materials on USB drive (\$80 + .0825 tax).....\$86.60
- All course materials on USB with selected printed papers (\$110 + .0825 tax).....\$119.08

TOTAL ENCLOSED.....\$_____

No refunds after 5:00 p.m. Friday, September 16, 2016. See cancellation policy above.

Name _____

Firm _____

Address _____

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Bar Card # _____ E-mail _____

Make Check Payable to: Texas Institute of Continuing Legal Education

Please Charge: AMERICAN EXPRESS VISA MASTERCARD

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