

ABA FORUM ON THE CONSTRUCTION INDUSTRY

Index to *The Construction Lawyer*¹

Notes to the Users of this Index:

Westlaw: *Construction Lawyer* articles are available on Westlaw, and may be found in two ways.

1. In the “CONSLAW” database, by running traditional Westlaw searches.
2. Through Westlaw’s “Find & Print” feature, by inputting the citation to the desired article. Westlaw uses the following format for citations to *Construction Lawyer*: {Vol. No.}-*{Month or Season}* Construction Law. {Starting Page No.} (e.g., 11-APR Construction Law. 1 or 27-SPG Construction Law. 5). Westlaw uses the following abbreviations for seasons: WTR, SPG, SUM and FALL. Westlaw uses the following abbreviations for months: JAN, FEB, MAR, APR, MAY, JUN, JUL, AUG, SEP, OCT, NOV and DEC.

Searching the Index: If you open this index with Acrobat Version 7.0 or later, you may do text searches by using the “Search” feature in Acrobat. (The Acrobat search feature may be access in three ways: (1) by clicking on the Search icon in the tool bar; (2) by pressing SHIFT+CNTRL+F; or (3) by clicking “Edit” and then “Search”. A search can also be done by pressing CNTRL+F but then all the search options do not appear.)

SUBJECT INDEX (Issues 1:1 to 29:3)

Alternative Dispute Resolution (Arbitration, Mediation, Partnering, DRB’s, etc.)

Michael Black QC, Wendy Venoit and George J. Pierson, *Arbitration of Cross-Border Disputes*; 27:2 at 5 (Spring 2007)

Paul M. Lurie and Carl F. Ingwolson, *Arbitration and the Unauthorized Practice of Law*, 27:1 at 14 (Winter 2007)

W. Alexander Moseley, *What Do You Mean I Can’t Get That? Discovery in Arbitration Proceedings*, 26:4 at 18 (Fall 2006)

Thomas E. McCurnin, *Two Party Arbitrations in a Multiple-Party World*, 26:1 at 5 (Winter 2006)

Daniel D. McMillan and Robert A. Rubin, *Dispute Review Boards: Key Issues, Recent Case Law, and Standard Agreements*, 25:2 at 14 (Spring 2005)

Joel D. Heusinger, *Practical Concerns in Prosecuting Pass-Through Claims*, 25:2 at 26 (Spring 2005)

¹ John W. Ralls, Editor; Stephen A. Hess, Associate Editor. Past Editors: Charles A. Meeker; Thomas J. Stipanowich; Douglas S. Oles; Adrian L. Bastianelli, III; Charles M. Sink.

Audra J. Zarlenga and Mark A. Smith, *Can a Nonsignatory or Nonparty Be Bound by an Arbitration Award? A Warning for the Unwary*, 24:3 at 18 (Summer 2004)

Elizabeth J. Anderson, *Stepping on the Judiciary's Toes: Can Arbitration Agreements Modify the Standard of Review That the Judiciary Must Apply to Arbitration Decisions?*, 24:3 at 13 (Summer 2004)

Carol J. Patterson, *Contractual ADR Provisions: The House Always Wins*, 24:1 at 16 (Winter 2004)

Paul M. Lurie, *Factors Influencing a Successful Mediation*, 22:3 at 18 (Summer 2002)

Andrew D. Ness and Davis D. Peden, *Arbitration Developments: Defects and Solutions*, 22:3 at 10 (Summer 2002)

Charles M. Sink, *Negotiating Dispute Clauses That Affect Damage Recovery in Arbitration*, 22:3 at 5 (Summer 2002)

Dean B. Thomson, *A Disconnect of Supply and Demand: Survey of Forum Members' Mediation Preferences*, 21:4 at 17 (Fall 2001)

Adam M. Nahmias, *The Enforceability of Contract Clauses Giving One Party the Unilateral Right to Choose Between Arbitration and Litigation*, 21:3 at 36 (Summer 2001)

David A. Senter and Andrew L. Chapin, *Statutory Grounds for Challenging Arbitration Awards*, 19:4 at 30 (October 1999)

William F. Bresee, *Some Less Well-Known Dispute Resolution Organizations*, 19:3 at 28 (July 1999)

Allen Holt Gwyn and Benjamin O. Tayloe, Jr., *Comparison of the Major International Arbitration Rules*, 19:3 at 23 (July 1999)

Steven B. Lesser, *I Have Fallen and I Can't Get Up: The Inadvertent Waiver of Mandatory Construction Arbitration Clauses*, 17:4 at 36 (October 1997)

Thomas J. Stipanowich, *What's a NCCUSL? The Uniform Law Commissioners Tackle the Uniform Arbitration Act*, 17:3 at 25 (July 1997)

Thomas J. Stipanowich, *Some Parting Thoughts on (What Else?) Arbitration*, 17:2 at 42 (April 1997)

Richard F. Smith, Robert J. MacPherson and Dean B. Thomson, *Dysfunctional ADR: Tips to Avoid the Pain*, 16:4 at 26 (October 1996)

John P. Horan, *Preparing the Client For Mediation*, 16:3 at 38 (July 1996)

Dean B. Thomson, *The Forum's Survey on the Current and Proposed AIA A201 Dispute Resolution Provisions*, 16:3 at 3 (July 1996)

Thomas J. Stipanowich, *Charting the Course: The 1994 Construction Industry Survey on Dispute Avoidance and Resolution -- Part II*, 16:2 at 8 (April 1996)

Steven H. Sklar, *An Arbitrator's Award of Attorneys' Fees: Just and Equitable Relief or Discretion Run Rampant?*, 16:2 at 24 (April 1996)

George H. Friedman, *Major Changes Coming to AAA Construction Arbitration*, 15:4 at 25 (November 1995)

Kimberly A. Kunz, *Counsel's Role in Negotiating a Successful Construction Partnering Agreement*, 15:4 at 19 (November 1995)

Anthony E. Battelle, *The Growing Impact of AD on the Construction Industry: 'Real Time' Dispute Processing on the Boston Central Artery/Tunnel Project*, 15:4 at 13 (November 1995)

Thomas J. Stipanowich and Leslie King O'Neal, *Charting the Course: The 1994 Construction Industry Survey on Dispute Avoidance and Resolution -- Part 1*, 15:4 at 5 (November 1995)

Thomas J. Stipanowich, *Dispute Avoidance and Resolution: The Construction Industry As the Cutting Edge of Evolution*, 15:4 at 3 (November 1995)

Robert G. Taylor and Buckner Hinkle, Jr., *How to use ADR Clauses with Standard Form Construction Industry Contracts*, 15:2 at 42 (April 1995)

John G. McGill, *Bonds and Arbitration*, 14:2 at 18 (April 1994)

Richard H. Kreindler, *Court Intervention in Commercial and Construction Arbitration: Approaches in the U.S. and Europe*, 13:4 at 12 (October 1993)

John G. McGill, *Liens and Arbitration*, 13:2 at 3 (April 1993)

Paul J. Geller, *When the Walls Come Crumbling Down: A Call for ADR in the CIC*, 13:1 at 12 (January 1993)

James P. Groton and William R. Wildman, *The Role of Job-Site Dispute Resolution in Improving the Chances for Success on a Construction Project*, 12:3 at 1 (August 1992)

Thomas J. Stipanowich and Douglas A. Henderson, *Settling Construction Disputes by Mediation, Mini-Trial and Other Processes -- The ABA Forum Survey*, 12:2 at 6 (April 1992)

John W. Hinchey, Luther P. House Jr., and Brian G. Corgan, *Do We Need Special ADR Rules for Complex Construction Cases?*, 11:3 at 1 (August 1991)

Nickolas J. Dibert, *Architects as Arbiters*, 10:3 at 9 (August 1990)

Jon T. Anderson and G. W. Snipes, *Stretching the Concept of Mini-Trials: The Case of Bechtel and the Corps of Engineers*, 9:2 at 3 (April 1989)

Howard W. Ashcraft, Jr., *Volt v. Board of Trustees: Construction Arbitration and the Making of a Federal Case*, 8:3 at 1 (August 1988)

Robert M. Wright and Howard D. Venzie, Jr., *Arbitration -- Waiver by Judicial Proceedings and the Effect of the Construction Industry Arbitration Rules of the American Arbitration Association*, 8:2 at 5 (April 1988)

Thomas J. Stipanowich, *A Preliminary Analysis of Responses to the Questionnaire on Construction Industry Arbitration*, 7:3 at 17 (August 1987)

Glomer W. Jones, *Awarding Punitive Damages by Arbitration*, 7:3 at 1 (August 1987)

Henry J. Donner, Stanley B. Edelstein, and Michael J. Gallagher, *Third Circuit Limits Construction Arbitration Rights*, 7:2 at 9 (April 1987)

James J. Myers, *International Construction Dispute Resolutions and New Alternatives*, 6:3 at 1 (April 1986)

Charles W. Franklin, *The 'Minitrial': What It Is and What It Isn't: What It Can Do and What It Can't Do*, 4:4 at 1 (Fall 1983)

Andrew D. Ness, *Moses Cone Hospital v. Mercury Construction and the Enforcement of Construction Contract Arbitration Clauses*, 4:2 at 3 (Spring 1983)

Michael T. Callahan, *Procedures in Construction Arbitration: From an Arbitrator's View*, 3:2 at 3 (Spring 1982)

Kenneth M. Cushman, *Arbitration of Construction Disputes*, 1:2 at 1 (Fall 1980)

Bankruptcy

Nicola Y. Whiteman and Michael C. Zisa, *Researching Bankruptcy Law on the Internet*, 22:2 at 10 (Spring 2002)

Matthew M. Horowitz and M. Michael Egan, *Practical Implications of Bankruptcy on the Parties' Rights in a Construction Contract*, 22:2 at 5 (Spring 2002)

Bid and Award

Daniel D. McMillan and Erich R. Luschei, *Prequalification of Contractors by State and Local Agencies: Legal Standards and Procedure Traps*, 27:2 at 21 (Spring 2007)

Joseph C. Kovars and Micael A. Schollaert, *Truth and Consequences: Withdrawn Bids and Legal Remedies*, 26:3 at 5 (Summer 2006)

James F. Killian and Roy C. Fazio, *Creating and Enforcing Teaming Agreements*, 25:2 at 5 (Spring 2005)

David B. Ratterman, *The Use of Net-Based Reverse Auctions to Procure Construction Services*, 24:3 at 22 (Summer 2004)

Nancy J. White and Theodore R. Bolema, *Federal Antitrust Law Implications of Bid Shopping*, 24:1 at 37 (Winter 2004)

Dean B. Thomson and Michael J. Kinzer, *Best Value in State Construction Contracting*, 19:2 at 31 (April 1999)

Robert S. Brams, Michael J. Schaengold, and Rodney A. Grandon, *Best Value in Federal Construction Contracting*, 19:2 at 25 (April 1999)

Steven R. Schooley and Michael W. Andrew, Jr., *The Devil in Devolution: State and Local Preference Programs*, 16:4 at 18 (October 1996)

Eric C. Rowe and Allen Holt Gwyn, *Home Electric v. Star Paving Promissory Estoppel Debate: The Rules of Offer and Acceptance Have Not Been Abandoned*, 11:1 at 7 (January 1991)

Christopher J. Daus and G. Steven Ruprecht, *The Pit and the Pendulum: Balancing the Equities in the Construction Bidding Process*, 10:3 at 3 (August 1990)

Doreen J. Piligian, *Resident Preference Laws and the Award of Public Contracts*, 10:2 at 10 (May 1990)

Steven M. Siegfried and Mark Lawrence, *Home Electric v. Hall & Underdown Heating & Air Conditioning: Mutuality Remains the Only Solution to the Construction Bidding Problem*", 9:4 at 3 (November 1989)

David E. Rosengren and Thomas G. Librizzi, *Bid Protests: Substance and Procedure on Publicly Funded Construction Projects*, 7:1 at 1 (January 1987)

Ralph L. Kaskell, Jr., *The Bidding Process*, 1:4 at 1 (Spring 1981)

Book & Software Reviews

Construction Law, by William Allensworth, Ross J. Altman, Allen Overcash, and Carol J. Patterson, Editors (American Bar Association, Forum on the Construction Industry, 2009), reviewed by Ava J. Abramowitz, 29:3 at 45 (Summer 2009).

Legal Aspects of Architecture, Engineering and the Construction Process, by Justin Sweet and Marc M. Schneier, reviewed by Philip L. Bruner, 29:2 at 45 (Spring 2009).

International Construction Arbitration Handbook, by John W. Hinchey and Troy L. Harris, reviewed by Charles M. Sink, 28:4 at 43 (Fall 2008)

Integrated Practice in Architecture: Mastering Design-Build, Fast Track, and Building Information Modeling, by George Elvin, PhD, reviewed by Roland Nikles, 28:3 at 57 (Summer 2008)

The 2007 A201 Deskbook, by Charles M. Sink, A. Hold Gwyn, James Duffy O'Connor, and Dean B. Thomson, reviewed by Patrick J. O'Connor, 28:1 at 46 (Winter 2008)

False Claims in Construction Contracts: Federal State and Local, by Charles M. Sink and Krista Lee Pages, reviewed by Adrian L. Bastianelli III, 27:4 at 45 (Fall 2007)

Delay and Disruption in Construction Contracts, Third Edition, by Keith Pickavance, reviewed by James F. Nagle, 27:1 at 40 (Winter 2007)

Risk Management and Contract Guide for Design Professionals, by J. Kent Holland, reviewed by James F. Nagle, 27:1 at 40 (Winter 2007)

Administration of Government Contracts, 4th Edition, by John Cibinic Jr., Ralph C. Nash, Jr., and James F. Nagle, reviewed by Philip L. Bruner, 21:1 at 41 (Winter 2007)

Forms and Substance: Specialized Agreements for the Construction Project, by Michael D. Tarullo, Carina Y. O'Hara, John I. Spangler III, Editors, reviewed by Wilshusen, Fred D., 26:4 at 45 (Fall 2006)

Government Contract Costs & Pricing, by Karen Manos, reviewed by James F. Nagle, 26:1 at 47 (Winter 2006)

Building Codes Illustrated: A Guide to Understanding the International Building Code, by Francis D.K. Ching and Steven R. Winkel, reviewed by Lawrence C. Melton, 25:3 at 51 (Summer 2005)

Construction Scheduling: Preparation, Liability and Claims, Second Edition, by Jon M. Wickwire, Thomas J. Driscoll, Stephen B. Hurlbut, Scott B. Hillman, reviewed by James F. Nagle, 25:3 at 39 (Summer 2005)

Legal Aspects of Architecture, Engineering and the Construction Process, 7th Edition, by Justin Sweet and Marc M. Schneier, reviewed by William R. Allensworth, 25:3 at 48 (Summer 2005)

THE Construction Contracts Book: How to Find Common Ground in Negotiation Design and Construction Contract Clauses, edited by Daniel S. Brennan, Richard H. Lowe, Jennifer A. Nielsen and John I. Spangles III, reviewed by Larry D. Harris, 25:2 at 50 (Spring 2005)

Design-Build for the Public Sector, edited by Michael C. Loulakis, reviewed by James F. Nagle, 25:1 at 46 (Winter 2005)

The Design/Build Deskbook, Third Edition, edited by John R. Heisse II and James S. Schenck IV, reviewed by Michael C. Loulakis, 24:4 at 46 (Fall 2004)

The Construction Law Journal: Official Publication of the Construction Law Section of the State Bar of Texas, reviewed by James F. Nagle, 24:2 at 41 (Spring, 2004)

The Construction Law and Risk Management Case Notes and Articles, edited by J. Kent Holland Jr., Esq., reviewed by James F. Nagle, 24:2 at 41 (Spring, 2004)

Ownership Transition: Options and Strategies, edited by Lowell Getz and Paul Lurie, reviewed by James F. Nagle, 24:2 at 41 (Spring, 2004)

Construction Damages and Remedies, edited by Alexander Moseley, reviewed by Lawrence C. Melton, 24:1 at 47 (Winter 2004)

The Public Construction Law Source Book, edited by Michael K. Love and Douglas L. Patin (CCH, 2002), reviewed by Lawrence C. Melton, 23:3 at 46 (Summer 2003)

Federal Government Construction Contracts, edited by Adrian L. Bastianelli III, Andrew D. Ness and Joseph D. West, reviewed by Allen L. Overcash, 23:2 at 38 (Spring 2003)

Why Buildings Fail, by Kenneth L. Carper, reviewed by James F. Nagle, 23:1 at 43 (Winter 2003)

Bruner and O'Connor on Construction Law, reviewed by James F. Nagle, 22:4 at 46 (Fall 2002)

Basic Skills for the New Mediator and Basic Skills for the New Arbitrator, by Allan H. Goodman, reviewed by James F. Nagle, 22:3 at 39 (Summer 2002)

Fundamentals of Construction Law, edited by Carina Y. Enhada, Cheri Turnage Gatlin, and Fred D. Wilshusen, reviewed by Christopher B. Butler, 22:3 at 38 (Summer 2002)

The Architect's Essentials of Contract Negotiation, by Ava Abramowitz, reviewed by Robert J. MacPherson and Dana Wordes, 22:2 at 32 (Spring 2002)

Sticks & Bricks: A Practical Guide to Construction Systems and Technology, edited by Christopher C. Whitney, Robert J. MacPherson, and James Duffy O'Connor, reviewed by Lawrence C. Melton, 22:1 at 38 (Winter 2002)

AIA Contract Documents Electronic Format Version 3.0: The AIA Is Working On It, Ann Rackas, 21:4 at 44 (Fall 2001)

Principles of Public and Private Infrastructure Delivery, by John B. Miller, reviewed by James F. Nagle, 21:4 at 42 (Fall 2001)

AIA Electronic Forms – "New" Version 3.0 – The Good, The Bad, and The Ugly reviewed by L. Tyrone Holt, 21:3 at 46 (Summer 2001)

How to Review a Federal Contract: Understanding and Researching Government Solicitations and Contract, (Second Edition), by James F. Nagle, reviewed by Andrew D. Ness, 21:3 at 44 (Summer 2001)

Building Information Modeling

Richard H. Lowe and Jason M. Muncey; *Consensus DOCS 301 BIM Addendum*; 29:1 at 17 (Winter 2009)

Changes

Aaron P. Silberman, *Abandonment and Cardinal Change Claims on "Projects from Hell"*, 25:4 at 18 (Fall 2005)

F. Malcolm Cunningham, *Cardinal Change: Discharge of the Surety's Obligation*, 22:4 at 12 (Fall 2002)

Claims (Preparation, Submission, Certification, Damages, Design Responsibility, False Claims Act, etc.)

Robert A. Crist, Jr., Ph.D., P.E., Richard McKim Preston, and Marcus Eyth; *Joint Defense Agreements Between Owners and Design Professionals*; 29:2 at 35 (Spring 2009)

Mary Jane Augustine and Christopher S. Dunn, *Consequences of Ownership or Licensing of the Project Drawings – If You Pay for it, Do You Own It?* 28:3 at 35 (Summer 2008)

Krista Pages and Howard E. O'Leary, *Handling Criminal False Claims Act Cases*, 28:1 at 27 (Winter 2008)

Benton T. Wheatley and Travis W. Brown, *An Introduction to Building Information Modeling*, 27:4 at 33 (Fall 2007)

Ronald M. Sandgrund and Scott F. Sullan, *Useful Life Evidence in Construction Defect Cases*, 27:3 at 27 (Summer 2007)

Jayne Czik and Thomas D. Czik, *Prerequisites to Litigation: Notice, Documentation, and Claim Submission*, 26:4 at 11 (Fall 2006)

Jerome V. Bales, Shamus O'Meara and Mark R. Azman, *The "Betterment" or Added Benefit Defense*, 26:2 at 14 (Spring 2006)

Steve M. Pharr and Kenneth E. Menzel, *Thinking About the Unthinkable: Landowner and Design Professional Liability for September 11-Style Attacks*, 26:2 at 10 (Spring 2006)

Paul A. Sandars III, *Theories of Lender Liability on Construction Projects*, 25:4 at 44 (Fall 2005)

Aaron P. Silberman, *Abandonment and Cardinal Change Claims on "Projects from Hell"*, 25:4 at 18 (Fall 2005)

Kayhan M. Fatemi and Matthew Lankenau, *A Practical Guide to Establishing or Avoiding False Claims Liability*, 24:1 at 5 (Winter 2004)

Aaron P. Silberman, *Beyond Changes: Abandonment and Cardinal Change*, 22:4 at 5 (Fall 2002)

Laurence Schor, *Claims Under Federal Government Contracts*, 20:4 at 18 (October 2000)

Krista L. Pages, *The Civil False Claims Act -- Legislation in Turmoil*, 19:1 at 42 (January 1999)

David R. Hendrick, Victoria H. Tobin, and Christopher B. Cashen, *Definition and Certification of 'Claims' on Federal Public Works under the Contract Disputes Act: Smoothing Out the Rocky Road to Recovery*, 13:2 at 1 (April 1993)

J. Norman Stark, *Liability Claims Investigation on a Construction Project*, 3:3 at 5 (Summer 1982)

Completion

G. William Quatman and Heber O. Gonzalez, *Right-to-Cure Laws Try to Cool Off Condo's Hottest Claims*, 27:3 at 13 (Summer 2007)

Cathleen S. Bumb, *Substantial Completion*, 23:1 at 5 (Winter 2003)

Contract Forms and Contract Drafting/Financing

Howard W. Ashcraft and Kimberley A. Hurtado; *Developing Meaningful Contract Terms for Electronic Communications on Construction Projects*; 29:2 at 5 (Spring 2009)

Kevin F. Peartree; *The ConsensusDOCS 300 Standard Form of Agreement for Collaborative Project Delivery*; 29:1 at 25 (Winter 2009)

Richard H. Lowe and Jason M. Muncey; *Consensus DOCS 301 BIM Addendum*; 29:1 at 17 (Winter 2009)

Steven G.M. Stein and Ronald O. Wietecha; *A Comparison of ConsensusDOCS to the AIA Form Construction Contract Agreements*, 29:1 at 11 (Winter 2009)

Larry D. Harris and Brian M. Perlberg; *Advantages of the ConcensusDOCS Construction Contracts*; 29:1 at 5 (Winter 2009)

Jacques Cook, *Modern Enhancements for PPP Concession Agreements*, 28:4 at 24 (Fall 2008)

Thomas Barfield, *Comparing the New AIA A201 and ConsensusDOCS 200 Contract Terms*, 28:4 at 5 (Spring 2008)

Keith J. Bergeron, L. Wearen Hughes and Brian M. Dobbs, *Point/Counterpoint on Key Provisions of B101 (Standard Form of Agreement Between Owner and Architect): The Hot Button Issues and How They Have Changed*, 28:2 at 37 (Spring 2008)

Lynn R. Axelroth and W. Alexander Moseley, *Owners' and Contractors' Commentaries on Problem Profusions*, 28:2 at 26 (Spring 2008)

Christopher L. Noble and Bennet Heart, *The AIA's New Digital Data Documents*, 28:2 at 12 (Spring 2008)

Suzanne H. Harness, Kenneth W. Cobleigh, Michael B. Bomba and Howard G. Goldberg, *2007 Revisions to AIA Contract Documents*, 28:2 at 5 (Spring 2008)

William A. Lichtig, *The Integrated Agreement for Lean Project Delivery*, 26:3 at 25 (Summer 2006)

Edward Rubacha, *Construction Contracts with Indian Tribes or on Tribal Lands*, 26:1 at 12 (Winter 2006)

G. William Quatman, *The AIA's New (and Improved) Design-Build Contracts*, 25:2 at 37 (Spring 2005)

Christopher H. Alonzi, *Protecting Security-Sensitive Plans and Specifications for Local Public Works Projects*, 25:2 at 42 (Spring 2005)

Joel D. Heusinger, *Practical Concerns in Prosecuting Pass-Through Claims*, 25:2 at 26 (Spring 2005)

Daniel D. McMillan and Robert A. Rubin, *Dispute Review Boards: Key Issues, Recent Case Law, and Standard Agreements*, 25:2 at 14 (Spring 2005)

James F. Killian and Roy C. Fazio, *Creating and Enforcing Teaming Agreements*, 25:2 at 5 (Spring 2005)

Jennifer A. Nielsen, *Payment Provisions: Form Contract Approaches and Alternative Perspectives*, 24:4 at 33 (Fall 2004)

William P. Tibbitt, *AGC 200 Addresses Owner and Contractor Concerns*, 23:3 at 34 (Summer 2003)

V. Frederic Lyon and Douglas W. Ackerman, *Controlling Disputes by Controlling the Forum: Forum Selection Clauses in Construction Contracts*, 22:4 at 15 (Fall 2002)

Michael S. Zetlin and Francine M. Chillemi, *Clauses Imposing Monetary Limits on Designer Liability*, 20:1 at 5 (January 2000).

Michael C. Loulakis, *Drafting a Design-Build Contract: Does It Require More Than Cut-and-Paste?*, 20:1 at 33 (January 2000).

David E. Bergquist, *A Guide to Insurance Requirement Changes in the 1997 AIA Construction Contracts*, 18:4 at 25 (October 1998)

Nancy N. Potter, *Design Delegation Provisions of AIA Document A201, 1997 Edition*, 18:3 at 27 (July 1998)

Charles Sink, *Negotiating Dispute Clauses That Affect Damage Recovery*, 18:2 at 22 (April 1998)

Patrick J. O'Connor, *Warranties, Guarantees, and Correction Remedies Under the AIA Document A201 (1997)*, 18:1 at 19 (January 1998)

Lynn R. Axelroth, *Mutual Waiver of Consequential Damages -- The Owner's Perspective*, 18:1 at 11 (January 1998)

J. William Ernstrom and Michael F. Dehmler, *Mutual Waiver of Consequential Damages: The Contractor's Perspective*, 18:1 at 4 (January 1998)

Mark McCallum, Dale E. Ellickson, and Howard G. Goldberg, *The 1996 Editions of AIA Design/Build Standard Form Agreements*, 16:4 at 38 (October 1996)

Dean B. Thomson, *The Forum's Survey on the Current and Proposed AIA A201 Dispute Resolution Provisions*, 16:3 at 3 (July 1996)

Douglas S. Oles, *Remedies for Nonpayment in Four Standard Construction Contracts*, 16:2 at 20 (April 1996)

Buckner Hinkle, Jr., *The Payment Process Under A201*, 16:1 at 25 (January 1996)

Robert M. Wright and John A. King, *Design Professional Liability: Applicability of the A.I.A. Contractual Limits on the Operation of the Statute of Limitations to Members of the Design Team Not in Privity with the Owner*, 15:4 at 43 (November 1995)

Christopher R. Seppala, *The New FIDIC International Civil Engineering Subcontract*, 15:3 at 25 (August 1995)

Robert G. Taylor and Buckner Hinkle, Jr., *How to use ADR Clauses with Standard Form Construction Industry Contracts*, 15:2 at 42 (April 1995)

David A. Scotti, *Reporting and Scheduling Under AIA Documents A201 and B141: The Owner's Viewpoint*, 15:2 at 9 (April 1995)

Howard G. Goldberg and Peter J. Coote, *Reporting and Scheduling Under AIA Documents A201 and B141: The Architect's Viewpoint*, 15:2 at 3 (April 1995)

Christopher R. Seppala, *Contractor's Claims Under the FIDIC Civil Engineering Contract*, 13:1 at 1 (January 1993)

Donald B. Leach, Jr., David P. Dapper & Mary J. McElroy, *Design and Construction Form Documents*, 11:1 at 3 (January 1991)

Nickolas J. Dibert, *Architects as Arbiters*, 10:3 at 9 (August 1990)

Richard A. Eastman, *The FIDIC Redbook Fourth Edition: Good News and Bad News*, 9:4 at p. 7 (November 1989)

J. Charles Sheak and Timothy J. Korzun, *Old Game, New Rules: A Brief Guide to 1987 Changes in the A.I.A. A201, General Conditions of the Contract for Construction*, 8:3 at 3 (August 1988)

Stanley P. Sklar, *An Analysis of the AIA A401 Subcontract (1987 Ed.) -- The Subcontractor's Viewpoint*, 8:1 at 3 (January 1988)

James M. Lord, *Five Things Every Attorney Should Consider Before Approving Construction Contracts for Owners, Developers or Lenders*, 7:1 at p. 5 (January 1987)

Contract Interpretation

Laura A. Hauser and William J. Tinsley, Jr., *Eyes Wide Open: Contractors Must Learn to Identify and React to Design Risks Assumed Under Performance Specifications*, 27:3 at 32 (Summer 2007)

William Cary Wright, *Force Majeure Delays*, 26:4 at 33 (Fall 2006)

John W. Hinchey and Erin M. Queen, *Anticipating and Managing Projects: Changes in Law*, 26:4 at 26 (Fall 2006)

David C. Olson and Jeffrey S. Rosenstiel *Predicting When Construction Contracts Are Subject to Article 2 of the UCC*, 21:1 at 22 (Winter 2001)

Steven G.M. Stein & Joel J. Rhiner, *Enforcing Letters of Intent and Handshake Agreements*, 20:2 at 37 (April 2000)

Robert W. Wachsmuth and Byron T. Stone, *Applying Article 2 of the Uniform Commercial Code to Construction Contracts*, 18:3 at 13 (July 1998)

T. Bart Gary, *Incorporation by Reference and Flow-Down Clauses*, 10:3 at 1 (August 1990)

Robert J. Smith, *Combating Adhesion Contracts: Where Does the Buck Stop?*, 9:3 at 3 (August 1989)

Courts and Boards

Adrian L. Bastianelli III and Lori Ann Lange, *Litigating with the Federal Government*, 20:4 at 24 (October 2000)

Steven L. Schooner, *The Lacey Order: Control of Complex Litigation Before the BCAs*, 9:2 at 1 (April 1989)

Damages

Ronald M. Sandgrund and Scott F. Sullan, *Useful Life Evidence in Construction Defect Cases*, 27:3 at 27 (Summer 2007)

Daniel E. Toomey and Gregory Brown, *The Incredible Shrinking "American Rule": Navigating the Changing Rules Governing Attorneys' Fee Awards in Today's Construction Litigation*, 27:2 at 34 (Spring 2007)

Jeffrey P. Aiken, *Special Verdicts in Construction Litigation Combining Tort and Contract Claims*, 26:2 at 36 (Spring 2006)

David H. Fisk and R. Carson Fisk, *Comparative Contract Fault: Using the AIA Documents to Apportion Contract Damages*, 26:2 at 23 (Spring 2006)

John D. Darling, *Delay of Game (Scheduling Delays)*, 26:2 at 5 (Spring 2006)

Allen L. Overcash and Jack W. Harris, *Measuring the Contractor's Damages by "Actual Costs" – Can It Be Done?* 25:1 at 31 (Winter 2005)

R. Harper Heckman and Benjamin R. Edwards, *Time is Money: Recovery of Liquidated Damages by the Owner*, 24:4 at 28 (Fall 2004)

Renata A. Guidry, *The Steel Price Explosion: What Is an Owner or a Contractor to Do?*, 24:3 at 5 (Summer 2004)

Douglas M. Poulin, *Recovering Consequential Damages*, 23:4 at 29 (Fall 2003)

Reginald M. Jones, *Update on Proving and Pricing Inefficiency Claims*, 23:3 at 19 (Summer 2003)

Steven B. Lesser and Daniel L. Wallach, *Risky Business: the "Active Interference" Exception to No-Damage-for-Delay Clauses*, 23:1 at 26 (Winter 2003)

Cheri Turnage Gatlin, *Contractual Limitations on the Right to Recover Delay Damages and Judicial Enforcement of Those Limitations*, 22:4 at 32 (Fall 2002)

Alann M. Ramirez, *Researching Damages and Critical Path Method Resources on the Internet*, 21:4 at 15 (Fall 2001)

Richard F. Smith and Scott D. Gray, *Recovery of Project Overhead on Changed Work: A Significant Dilemma for Government Contractors*, 21:4 at 8 (Fall 2001)

Stuart Sobel, *The Modified Total Cost Method of Determining Damages*, 21:4 at 5 (Fall 2001)

Sheila C. Stark, *Collecting Fees and Costs from the U.S. Government*, 20:4 at 15 (October 2000)

Geoffrey T. Keating and Thomas F. Burke, *Cumulative Impact Claims: Can They Still Succeed?*, 20:2 at 30 (April 2000)

Lynn Hawkins Patton and Cheri Turnage Gatlin, *Claims for Lost Labor Productivity*, 20:2 at 21 (April 2000)

Michael S. Zetlin & Francine M. Chillemi, *Clauses Imposing Monetary Limits on Designer Liability*, 20:1 at 5 (January 2000)

William Garth Snider, *Impaired Bonding Claims*, 19:4 at 36 (October 1999)

Stephen B. Shapiro and Michelle D. Hertz, *Recovery of Attorney's Fees in Federal and State Construction Cases*, 19:3 at 37 (July 1999)

Adam Nahmias, *Delay Damages and the Miller Act Payment Bond Surety*, 19:1 at 36 (January 1999)

Charles Sink, *Negotiating Dispute Clauses That Affect Damage Recovery*, 18:2 at 22 (April 1998)

Bernard A. Reinert, *Limitations on Recoverable Damages*, 18:2 at 5 (April 1998)

Douglas S. Oles, *How Much Are the Damages*, 18:2 at 3 (April 1998)

Lynn R. Axelroth, *Mutual Waiver of Consequential Damages -- The Owner's Perspective*, 18:1 at 11 (January 1998)

J. William Ernstrom and Michael F. Dehmler, *Mutual Waiver of Consequential Damages: The Contractor's Perspective*, 18:1 at 4 (January 1998)

Frank Hughes and Debera Massahos, *Statutes Permitting Recovery of Attorney's Fees in Construction Cases*, 17:4 at 33 (October 1997)

Ian A. L. Strogatz, William J. Taylor, and Gavin P. Craig, *Pricing the Delay: Whom Do I Sue and What Do I Get?*, 17:4 at 4 (October 1997)

Allen Holt Gwyn, Zela G. Claiborne and Nancy N. Potter, *Legislative and Judicial Responses to Limitation of Liability Provisions*, 16:4 at 61 (October 1996)

David Raves, *Liquidated Damages in the Construction Industry*, 12:3 at 6 (August 1992)

Albert L. Norton, Jr., *Postaward, Prejudgment Interest on Arbitration Awards*, 10:3 at 21 (August 1990)

Bryant K Zimmerman, *Interest on Government Construction Claims in California*, 10:1 at 18 (January 1990)

J. Charles Sheak and Timothy J. Korzun, *Liquidated Damages and the Surety: Are They Defensible?*, 9:2 at 19 (April 1989)

Glomer W. Jones, *Awarding Punitive Damages by Arbitration*, 7:3 at 1 (August 1987)

Hugh Reynolds, Jr., *Is Eichleay the Answer? An In-Depth Look at Home Office Overhead Claims*, 7:2 at 1 (April 1987)

Robert M. Wright, *Contractual Liability and Damages Disclaimers: A Problem in Perception*, 6:4 at 3 (August 1986)

Gerald B. Kirksey, and T. A. Smedley, *Protecting the Contractor's Expectation Interest After the Owner's Substantial Breach*, 6:1 at 1 (October 1985)

B. C. Hart, *General Contractor Damage Claims*, 5:4 at 3 (April 1985)

Howard L. Meyer, *How to Avoid Kalisch-Jarcho and the Solution of Eichleay and Berley*, 5:1 at 17 (Spring 1984)

Richard H. Rogers, *Construction Surety's Liability for Pre-Judgment Interest*, 4:3 at 3 (Summer 1983)

J. William Ernstrom and Karl S. Essler, *Beyond the Eichleay Formula: Resurrecting Home Office Overhead Claims*, 3:1 at 1 (Winter 1982)

Defects, Construction Warranties and Negligence

L. Franklin Elmore and John T. Crawford, Jr., *Defenses in Construction Defect Cases*, 23:2 at 27 (Spring 2003)

Daniel S. Brennan, *Construction Defect Claims Against Manufacturers and Suppliers*, 23:2 at 15 (Spring 2003)

John W. Hays, *Construction Defect Claims Against Design Professionals and Contractors*, 23:2 at 15 (Spring 2003)

Laurence S. Kirsch and Rebecca E. Rapp, *Mold: An Evolving Issue in Design and Construction Defect Litigation*, 23:2 at 5 (Spring 2003)

Scott A. Greer, *Punch List*, 23:1 at 8 (Winter 2003)

Paul M. Lurie, *Responsibility for Computer-Aided Defects: CAD in the Construction Industry*, 21:4 at 23 (Fall 2001)

Scott C. Turner, *Insurance Coverage for Incorporation of Defective Construction Work or Products*, 18:2 at 29 (April 1998)

Patrick J. O'Connor, *Warranties, Guarantees, and Correction Remedies Under the AIA Document A201 (1997)*, 18:1 at 19 (January 1998)

Richard H. Glucksman and Glenn T. Barger, *Managing Construction Defect Cases*, 16:3 at 7 (July 1996)

Stewart W. Karge, *Admiralty Law's Application to Construction Contracts Can Affect Contractors' Rights and Remedies*, 16:2 at 3 (April 1996)

Brian M. Golden, *Strict Liability Applied to the Homebuilder: A Defect in the Law of Defective Products*, 14:4 at 11 (October 1994)

Charles Preston, III, *Satisfaction Contracts: A 'Hypothetical' Approach to an Analytical Framework*, 13:4 at 22 (October 1993)

Marc Schneier, *The Magnuson-Moss Warranty Act: Federalizing Homeowner Construction Defect Cases*, 13:4 at 1 (October 1993)

Hugh E. Reynolds, Jr. and Patrick L. Dunn, *General Liability Coverage for Property Damage Due to a Contractor's Negligent Construction*, 13:3 at 1 (August 1993)

Laird E. Lawrence and Bonnie Lee Daniel, *Construction Warranties in Texas*, 13:2 at 20 (April 1993)

Hugh E. Reynolds, Jr., *What Is a Contractor's Warranty Responsibility for Owner-Specified Materials -- Trustees of Indiana University v. Aetna Casualty & Surety*, 11:4 at 1 (October 1991)

Joseph G. Wagman and Judy H. Chen, *Liability for Defective Work -- Drafting Contract Provisions from the General Contractor's Perspective*, 10:2 at 1 (May 1990)

John E. McDonald, *Common Law Liability of Architects and Engineers for Negligence to Non-Contractual Parties*, 9:2 at 5 (April 1989)

Alvin M. Cohen and James W. Bain, *Negligence Claims in Construction Litigation*, 8:2 at 3 (April 1988)

J. William Ernstrom and Pamela L. Ryan, *Expanding Negligence Liability of Design Professional to Contractors*, 8:1 at 11 (January 1988)

Leslie King O'Neal, *Warranties in Construction*, 6:2 at 3 (January 1986)

Frank A. Shepherd and Thomas B. Bourque, *Strict Liability in the Construction Context*, 3:3 at 3 (Summer 1982)

Robert J. Manne, *Condominium Construction Litigation*, 3:1 at 3 (Winter 1982)

James F. Crowder, Jr., *The Whole Story on the Contractor-Surety Warranty Period*, 1:4 at 3 (Spring 1981)

Design-Build Contracting

G. William Quatman, *The AIA's New (and Improved) Design-Build Contracts*, 25:2 at 37 (Spring 2005)

John W. Hinchey, *Karl Marx and Design-Build*, 21:1 at 46 (Winter 2001)

William Karl Wilburn, *Recent Cases on Design-Build*, 21:1 at 12 (Winter 2001)

Christopher L. Noble, *The Design-Builder-A/E Contract: A Comparison of Standard Forms*, 21:1 at 5 (Winter 2001)

Michael C. Loulakis, *Drafting a Design-Build Contract: Does It Require More Than Cut-and-Paste?*, 20:1 at 33 (January 2000)

Mark C. Friedlander, *Designer-Led Design-Build: Why It Works for Contractors*, 20:1 at 29 (January 2000)

Neil S. Haldrup and Mason A. Goldsmith, Jr., *Design-Build in the Public Sector*, 18:4 at 38 (October 1998)

Peter C. Brown, *Blowing the Lid Off Pandora's Box: A Look at the Effect of the Design-Build Contract on the Government Contractor Defense*, 17:3 at 17 (July 1997)

Mark McCallum, Dale E. Ellickson, and Howard G. Goldberg, *The 1996 Editions of AIA Design/Build Standard Form Agreements*, 16:4 at 38 (October 1996)

Thomas H. Asselin and L. Bruce Stout, *Legal Exposure of the Design/Build Participants: The View of the General Contractor*, 15:3 at 8 (August 1995)

Ava J. Abramowitz, *Professional Liability Insurance in the Design/Build Setting*, 15:3 at 3 (August 1995)

Linda Chiarelli and Lawrence Chiarelli, *The Role of the Construction Manager on a Design/Build Project*, 15:2 at 58 (April 1995)

Christopher C. Whitney, *An Evolving Perspective on Design/Build Construction: A View from the Courthouse*, 15:2 at 1 (April 1995)

Marc C. Friedlander, *A Primer on Industrial Design/Build Construction Contracts*", 14:2 at 3 (April 1994)

Robert H. Buesing, *The Law Struggles to Keep pace with the Trend of State and Local Government Experience with Design/Build*, 11:4 at 22 (October 1991)

Robert H. Buesing, *Design/Build Contract Management: The Law Struggles to Keep Pace with the Design/Build Trend*, 10:1 at 14 (January 1990)

Casey S. Halsey and William Quatman, *Design/Build Contracts: Valid or Invalid?*, 9:3 at 1 (August 1989)

Christopher L. Grant, *A New Look at Design/Build*, 7:2 at 3 (April 1987)

Design Responsibility & Liability

Eric A. Berg and Bill Hecker, *Accessibility Laws – An Ounce of Prevention is Worth a Pound of Cure*, 28:1 at 5 (Winter 2008)

Laura A. Hauser and William J. Tinsley, Jr., *Eyes Wide Open: Contractors Must Learn to Identify and React to Design Risks Assumed Under Performance Specifications*, 27:3 at 32 (Summer 2007)

Kristine A. Kubes. *The Design Professional's Project Self-Certification: A Key to Efficiency or Liability?* 26:4 at 5 (Fall 2006)

Lawrence C. Melton and Brian A. Autry, *Beyond His Power to Build It: Who Is to Blame for the Overbudget Project?* 25:1 at 20 (Winter 2005)

Ben Patrick, *The Added First Benefit Rule*, 24:3 at 26 (Summer 2004)

Paul M. Lurie and Hugh Anderson, *The Practice of Architecture and Engineering by Limited Liability Entities Across State Lines*, 24:1 at 24 (Winter 2004)

James J. Scott, *A Passion for the Remarkable*, 21:2 at 46 (Spring 2001)

Dennis J. Powers and Eric A. Berg, *Accessibility: Not Just the Owner's Responsibility*, 21:2 at 13 (Spring 2001)

John E. Bulman, Scott K. Pomeroy, and Paul A. Sandars, III, *The Horns of a Dilemma: Too Much Involvement in Worksite Safety Can Backfire on Design Professionals*, 21:2 at 5 (Spring 2001)

Terrence L. Brookie, *Procedural Barriers in Design-Based Claims*, 20:3 at 6 (July 2000)

Steven G. M. Stein, and Carl L. Popovsky, *Liability for Differing Site Conditions and the Risk-Sharing Philosophy*, 20:2 at 13 (April 2000).

William R. Joyce and Patrick J. O'Connor, *Curtain Wall Failures*, 20:1 at 22 (January 2000)

Michael S. Zetlin & Francine M. Chillemi, *Clauses Imposing Monetary Limits on Designer Liability*, 20:1 at 5 (January 2000)

Richard H. Lowe and Elise H. Walthall, *When Architects Withhold Certificates of Substantial Completion, and Other Problems*, 19:4 at 5 (October 1999)

Nancy N. Potter, *Design Delegation Provisions of AIA Document A201, 1997 Edition*, 18:3 at 27 (July 1998)

Arthur I. Leaderman, *The Spearin Doctrine: It Isn't What It Used to Be*, 16:4 at 46 (October 1996)

Robert M. Wright and John A. King, *Design Professional Liability: Applicability of the A.I.A. Contractual Limits on the Operation of the Statute of Limitations to Members of the Design Team Not in Privity with the Owner*, 15:4 at 43 (November 1995)

Robert Marc Chemers and James A. Knox, Jr., *When Designs Don't Work: Professional Liability Coverage of Architects and Engineers*, 15:1 at 17 (January 1995)

Kenneth R. Michael, *Design Professional Liability: A Balanced Framework for Third-Party Actions by Tenants and Users*, 14:3 at 8 (August 1994)

Larry D. Harris, Eric B. Kantor, and Kathleen M. McGeehin, *Recent Developments in the Spearin Doctrine: Federal and State*, 14:3 at 3 (August 1994)

Howard W. Ashcraft, Jr., *Enforceability of Limitation of Liability Clauses*, 14:2 at 12 (April 1994)

Robert J. Harris, *Limitation of Liability Clauses: Allocating Risky Business*, 13:4 at 18 (October 1993)

Ronald B. Reiss, *The Design Professional as Predictor of Construction Cost: Has Liability Kept Pace with Construction Reality?* 13:3 at 9 (August 1993)

Michael S. Zetlin, *Contractor v. Design Professional Lawsuits: Unnecessary for Contractors and Perilous for Design Professionals*, 12:3 at 14 (August 1992)

Ralph L. Kaskell, Jr., *A Post Mortem of a Post Mortem: The Hyatt Collapse -- A Post Mortem*, 12:1 at 9 (January 1992)

Karen S. Precella, *Architect Liability: Should an Architect's Status Create a Duty to Protect Construction Workers from Job-Site Hazards?*, 11:3 at 11 (August 1991)

Howard W. Ashcraft, Jr., *Limitation of Liability -- The View after Markborough*, 11:3 at 3 (August 1991)

Matthew A. Victor, *The Hyatt Collapse -- A Post Mortem*, 10:4 at 7 (November 1990)

Marc M. Schneier, *Tortious Interference with Contract Claims against Architects and Engineers*, 10:2 at 3 (May 1990)

Stewart W. Karge, *Architect-Engineers Damages: The Added First Benefit Theory*, 9:4 at 1 (November 1989)

John E. McDonald, *Common Law Liability of Architects and Engineers for Negligence to Non-Contractual Parties*, 9:2 at 5 (April 1989)

J. William Ernstrom and Pamela L. Ryan, *Expanding Negligence Liability of Design Professional to Contractors*, 8:1 at 11 (January 1988)

Eugene H. Goldberg, *The Architect's Duty to Correct His Design During the Construction Phase and/or Warn of His Error*, 8:1 at 9 (January 1988)

Robert A. Rubin and Lisa A. Banick, *The Hyatt Regency Decision -- One View*, 6:4 at 20 (August 1986)

Robert F. Cushman and Kenneth I. Levin, *The Contractor's Rights against the Design Professional*, 6:2 at 7 (January 1986)

Howard G. Goldberg and Ralph L. Arnsdorf, *Construction Certification: A Trap for the Unwary Architect*, 6:2 at 1 (January 1986)

Robert A. Rubin and Marcy E. Ressler, *To Building a Better Mousetrap -- The Search to Define Responsibility For Shop Drawing Review*, 5:4 at 1 (April 1985)

Leslie King O'Neal, *Consulting Confusion*", 5:1 at 11 (Spring 1984)

James M. Mulvaney, *Contractors' Remedies: Owners' Representations and Warranties*, 4:2 at 9 (Spring 1983)

Robert A. Rubin and Eugene H. Goldberg, *Foundation Failures and Rehabilitations*, 3:4 at 1 (Fall 1982)

Arthur P. Kalleres, *Suggestions for Limiting the A/Es' Exposure to the Surety and Others in Court and by Contract*, 3:3 at 1 (Summer 1982)

Disadvantaged Businesses

Jennifer Evans Morris, Andrea L. Murdock, and Julia Luyster; *Where We Are Now With Women and Minority Business Enterprise Programs*; 26:2 at 40 (Spring 2009)

Denise E. Farris, *Alice in Preference Land: A Review of Affirmative Action in Public Contracts*, 21:4 at 28 (Fall 2001)

J. Cobbie de Graft, *Federal Rulemaking to Reform Affirmative Action*, 18:2 at 39 (April 1998)

Deborah S. Ballati, *Legislation Since Croson*, 13:1 at 7 (January 1993)

Carolyn K. Redmon, *Understanding MBEs in the 90s*, 11:4 at 13 (October 1991)

Patrick D. Halligan, *Minority Business Preferences and Ad Hoc Hypotheses: A Comment on Coral Construction v. King County*, 10:4 at 26 (November 1990)

Ralph C. Thomas, III, *Minority Participation in Government Construction Projects: Developing New Approaches*, 8:3 at 15 (August 1988)

Discovery

W. Alexander Moseley, *What Do You Mean I Can't Get That? Discovery in Arbitration Proceedings*, 26:4 at 18 (Fall 2006)

Holly Emrick Svetz, *Electronic Discovery: Cost Shifting Calls for Earlier Discovery Planning*, 23:3 at 9 (Summer 2003)

James F. Butler III and Angus N. McFadden, *Discovery of Electronic Information in Construction: Spoliation in the Electronic Era*, 23:3 at 5 (Summer 2003)

Economic Loss Principle and Privity

Patricia H. Thompson and Christine Dean, *Continued Erosion of the Economic Loss Rule in Construction Litigation by and Against Owners*, 25:4 at 36 (Fall 2005)

Anthony L. Meagher and Michael P. O'Day, *Who is Going to Pay for My Impact? A Contractor's Ability to Sue Third Parties for Purely Economic Loss*, 25:4 at 27 (Fall 2005)

Jay M. Feinman, *Economic Negligence in Construction Litigation*, 15:3 at 34 (August 1995)

Steven B. Lesser, *Economic Loss Doctrine and Its Impact Upon Construction Claims*, 14:3 at 21 (August 1994)

Janis K. Cheezem, *Economic Loss in the Construction Setting: Toward an Appropriate Definition of 'Other Property'*, 12:2 at 21 (April 1992)

Michael Black, *The Economic Loss Rule in English Law*, 12:2 at 17 (April 1992); and 12:4 at 38 (November 1992)

Michael D. Tarullo, *The Good, The Bad, and Economic Loss Liability of a Design Professional*, 11:2 at 10 (April 1991)

Richard A. Forsten, *Delaware Joins in Rejecting the Economic Loss Rule in Construction Settings*, 11:2 at 7 (April 1991)

Sidney R. Barrett, Jr., *The Center Holds: The Continuing Role of the Economic Loss Rule in Construction Litigation*, 11:2 at 3 (April 1991)

Luther P. House, Jr. and Hubert J. Bell, Jr., *The Economic Loss Rule: A Fair Balancing of Interests*, 11:2 at 1 (April 1991)

George Anthony Smith, *The Continuing Decline of the 'Economic Loss Rule' in Construction Litigation*, 10:4 at 1 (November 1990)

Education

Allen L. Overcash, *The Case for Construction Law Education*, 29:3 at 5 (Summer 2009)

Lawrence C. Melton, *What We Teach When We Teach Construction Law*, 29:3 at 8 (Summer 2009)

Employment & Labor

Robert J. Orelup and Christopher S. Drewry, *Judicial Review and Reformation of Noncompete Agreements*, 29:3 at 29 (Summer 2009)

Henry W. Sledz, Jr., Matthew D. Lahey, and Thurston C. Bailey; *Responding to Picketing at the Work Site*, 28:4 at 5 (Fall, 2008)

David P. McCauley, *Employing Foreign Workers in the U.S. Construction Industry: Possibilities, Pitfalls, and Lessons Learned*, 27:4 at 17 (Fall 2007)

Eric Paltell, *Recent Supreme Court Decisions on Sexual Harassment*, 19:1 at 28 (January 1999)

David Ratterman and Brooks D. Kubik, *The ADA and Construction Employers*, 19:1 at 22 (January 1999)

Lawrence H. Kay and Mike A. Cable, *Researching Employment and Labor Law on the Internet*, 19:1 at 19 (January 1999)

Maurice Baskin, *The Case Against Union-Only Project Labor Agreements*, 19:1 at 14 (January 1999)

Robert W. Kopp and John Gaal, *The Case for Project Labor Agreements*, 19:1 at 5 (January 1999)

Marc M. Schneier and Frank L. Wagner, *ERISA Preemption of State Law Remedies: Impact on Union Trust Fund Actions to Recover Unpaid Benefit Contributions*, 15:2 at 4 (April 1995)

Lynn A. Mourey, *Prehire Agreements: Do the Deklewa Rules Effectuate Labor Policy?*, 11:1 at 21 (January 1991)

Joseph H. Bucci and Brian P. Kirwan, *Double Breasting in the Construction Industry*, 10:1 at 1 (January 1990)

Steven L. Schooner, *The Davis-Bacon Act: Controversial Implementation of the 50 Percent Rule*, 5:3 at 9 (January 1985)

Terry L. Tyrrell, *Selected Developments of General Interest Respecting Employee Benefits*, 3:2 at 5 (Spring 1982)

Environmental

Rhonda Caviedes, *Debate, Mitigate, or Wait: Addressing Unexpected Environmental Issues on Construction Sites*, 28:4 at 12 (Fall 2008)

Denise E. Farris, *Legislative Update*, 20:4 at 37 (October 2000)

Thorn L. Pozen, *Proposed New Brownfield Legislation in Washington, D.C.*, 20:2 at 45 (April 2000)

Leslie King O'Neal, Rory C. Ryan and Gregory J. Johansen, *Sick Building Claims*, 20:1 at 16 (January 2000).

David R. Erickson and Cathleen S. Bumb, *Lead-Based Paint Regulations: A New Concern?*, 18:4 at 21 (October 1998)

Brooks P. Marshall, *An Introduction to Researching Environmental law on the Internet*, 18:4 at 18 (October 1998)

Steven R. Schooley, *Applying Environmental Law to the Construction Industry*, 18:4 at 13 (October 1998)

Andrew D. Ness, *An Introduction to Basic Federal Environmental Statutes*, 18:4 at 5 (October 1998)

William T. Gorton, *Replacing Nationwide Permit 26: The Next Battle over Wetlands Development*, 18:2 at 43 (April 1998)

Cathleen S. Bumb, *Demucking the Wetlands Quagmire: Developments in Wetlands Regulations*, 18:1 at 39 (January 1998)

Allen Holt Gwyn, *Brownfield Initiatives and Voluntary Cleanup Programs*, 16:2 at 34 (April 1996)

John D. Sours, *Survey of State Rules Regarding Stormwater Runoff Associated with Construction Activities*, 15:4 at 52 (November 1995)

Thomas F. Icard, Jr. and Wm. Cary Wright, *Sick Building Syndrome and Building-Related Illness Claims: Defining the Practical and Legal Issues*, 14:4 at 1 (October 1994)

Allen Holt Gwyn, *Indoor Air Quality*, 14:2 at 29 (April 1994)

Steven W. Weston and Barbara Biles, *National Environmental Policy Act: Issues Impacting Construction*, 14:1 at 4 (January 1994)

Kathiann M. Kowalski, *Environmental Laws Affecting the Construction Industry: A Primer*, 14:1 at 1 (January 1994)

Howard W. Ashcraft, *CERCLA Arranger Liability: Emerging Risk for Environmental Consultants*, 14:1 at 42 (January 1994)

Daniel E. Toomey, J. Kent Holland Jr., and Lawrence F. Delmore, *Surety, Insurance, Construction and Hazardous Waste: A Toxic Mix?*, 14:1 at 31 (January 1994)

Leslie Bellas, *Recent Regulatory Developments Affecting Construction and Demolition Debris*, 14:1 at 26 (January 1994)

Carolyn L. Buchholz and Robert Taylor, *What Contractors Should Know About Environmental Remediation*, 14:1 at 15 (January 1994)

Michael R. Peterson, *Introduction to Environmental Law Informational Resources*, 14:1 at 10 (January 1994)

Deborah S. Ballati, *Criminal Penalties in Federal Environmental Statutes*, 13:4 at 36 (October 1993)

Kathiann M. Kowalski and Susan E. Wuorinen, *How to Avoid Being Bugged Down in Wetlands Regulation: Some Practical Suggestions for the Developer*, 13:3 at 3 (August 1993)

Allen Holt Gwyn, *State Underground Storage Tank Cleanup Funds*, 13:2 at 31 (April 1993)

Thomas F. Gardner, *Is the Design Architect or Engineer Liable for Sick Building Syndrome Damages?*, 11:4 at 30 (October 1991)

J. Montieth Estes and Martha A. Connolly, *Avoiding Exposure to Environmental Liabilities: Concerns for Sureties*, 10:3 at 33 (August 1990)

Thomas Salzer, *The EPA May Be More Responsible for Cleaning Up Boston Harbor Than It Wants to Be*, 9:3 at 13 (August 1989)

Karl S. Bourdeau, *Minimizing Hazardous Waste Liabilities in Real Estate Transactions*", 6:4 at 1 (August 1986)

Equitable Remedies

John V. Burch, *Third-Party Beneficiaries to the Construction Contract Documents*, 8:2 at 2 (April 1988)

Ethics

Michael H. Rubin, *The Ethical Negotiator: Ethical Dilemmas, Unhappy Clients, and Angry Third Parties*, 26:3 at 12 (Summer 2006)

Bruce C. King and Carol J. Patterson, *Representation of Multiple Parties in the Construction Arena: Ethical Issues*, 25:4 at 5 (Fall, 2005)

James M. Bowie, *Ethical Issues in Construction Mediation: Are There Any Rules?*, 24:2 at 33 (Spring 2004)

Louis R. Pepe, *Compensating the Former Employee to Prepare and Prove Construction Claims*, 24:1 at 19 (Winter 2004)

Bryan A. Thames, *Inadvertent or Unauthorized Disclosure of Privileged or Confidential Documents: What Do You Do and What Is the Effect?*, 23:4 at 38 (Fall 2003)

Robert O. Dyer, *Ethical Consideration to Multiple Representation in Construction and Surety Bond Litigation*, 17:2 at 14 (April 1997)

Gerald B. Kirksey and Judith L. Maute, *MoneyMoneyMoney: Legal and Ethical Dilemmas in the Construction Payment Process*, 16:1 at 3 (January 1996)

Linda R. Beck, *Ethical Issues in Joint Representation Under Subcontract Requirements for Defense and Additional Insured Status*, 15:1 at 25 (January 1995)

Evidence and Experts

James F. Nagle, *An Essay About Lawyers Serving as Expert Witnesses*, 29:2 at 24 (Spring 2009)

Bruce R. Gerhardt, *The Design Professional's Standard of Care After Kumho Tire: From the "Expert With an Opinion" to "Expert Opinion"*, 28:4 at 30 (Fall 2008)

Brian F. Stayton and Jesse L. Ray, *Spoliation of Evidence: An Overview and Practical Suggestions*, 24:1 at 31 (Winter 2004)

Thomas J. Casamassima and Edmund V. Caplicki III, *Electronic Evidence at Trial: The Admissibility of Project Records, E-Mail, and Internet Websites*, 23:3 at 13 (Summer 2003)

Paul M. Lurie and Mark R. Becker, *Kumho Tire and Judicial Scrutiny of Expert Testimony by Engineers*, 20:3 at 37 (July 2000)

Melvin C. Cohen and Anna H. Oshiro, *Obstacles to Admitting Evidence in Construction Cases*, 20:1 at 36 (January 2000)

David J. Hatem and Romeo G. Camba, *Attorney-Client Privilege, Work Product Doctrine, and In-House Counsel*, 19:4 at 22 (October 1999)

Anthony L. Meagher, *Authenticity of Computer-Generated Evidence on a 'Paperless' Project*, 18:3 at 4 (July 1998)

L. Wearen Hughes and Beth A. Dunning, *Considering the Self-Critical Analysis Privilege in Construction Litigation: Potential Protection of Investigations and Self-Evaluations*, 17:3 at 12 (July 1997)

Michael Black, *Disqualifying the Expert: an English Perspective*, 16:4 at 56 (October 1996)

Peter Fenn, Christopher Speck, and Michael O'Shea, *Witnesses of Opinion and the Use of Court Experts in the United Kingdom*, 15:4 at 30 (November 1995)

Daniel E. Toomey and Mark R. Berry, *The Scheduling Expert: A Primer on Preparing Direct and Cross*, 15:2 at 63 (April 1995)

Dennis A. Estis, E. Richard Kennedy, and John S. Vento, *Admissibility of Computer-Generated Evidence*, 14:3 at 1 (August 1994)

Kevin F. Foley, *Should Expert Witnesses Be Permitted to Explain, Define, or Otherwise Interpret Building, Safety, and Other Codes and Regulations?*, 11:4 at 3 (October 1991)

Ronald E. Martell and Daniel Q. Poretti, *Using Experts to 'Prove Up' Your Construction Case*, 8:2 at 11 (April 1988)

Financing

Paul A. Sandars III, *Theories of Lender Liability on Construction Projects*, 25:4 at 44 (Fall 2005)

Leslie King O'Neal, *They're Back: Letters of Credit Provided in Lieu of Surety Bonds*, 13:1 at 3 (January 1993)

Craig D. Tindall, *The Obligatory Advance Rule in the Construction Lending Context*, 12:1 at 13 (January 1992)

James M. Mulvaney, *Contractor's Rights Against Mortgage Lenders*, 2:2 at 25 (Fall 1981)

John L. Kraft, *Low Cost Tax Exempt Financing of Construction Projects Through Use of Industrial Development Bonds*, 2:2 at 3 (Fall 1981)

Force Majeure/Insurance/Sureties

William Cary Wright, *Force Majeure Delays*, 26:4 at 33 (Fall 2006)

John W. Hinchey and Erin M. Queen, *Anticipating and Managing Projects: Changes in Law*, 26:4 at 26 (Fall 2006)

Wm. Cary Wright, *Force Majeure Clauses and the Insurability of Force Majeure Risks*, 23:4 at 16 (Fall 2003)

Patrick J. O'Connor, *Allocating Risks of Terrorism and Pandemic Pestilence: Force Majeure for an Unfriendly World*, 23:4 at 5 (Fall 2003)

Government and Contracts

Peter J. Comodeca and Kevin R. Carter; *The Defense of False Claims Act Suits by Federal Subcontractors*; 29:2 at 29 (Spring 2009)

James F. Nagle; *A Primer on Prime-Subcontractor Disputes Under Federal Contracts*; 29:1 at 39 (Winter 2009)

Prof. Justin Sweet, *"From the Tower" Redux: Lessons a Construction Practitioner Must Learn from Federal Procurement Law*, 27:1 at 26 (Winter 2007)

Kory D. George, Joel K. Gerber, and Christopher D. Montez, *Legislative Update: The Kansas Fairness in Private Construction Contract Act and Other Legislation Regulating "Unfair" Provisions in Construction Contracts*, 26:3 at 33 (Summer 2006)

Steven B. Hilkwitz, *Contractors on the Battlefield: An Overview of Federal Contracting Issues*, 26:1 at 20 (Winter 2006)

Stephen D. Knight and S. Jun Jin, *Compliance Problems for American Contractors*, 24:2 at 5 (Spring 2004)

Denise Farris, *Checking Your Indefinite Delivery/Indefinite Quantity (IDIQ) IQ*, 22:4 at 24 (Fall 2002)

Implied Obligations

Steven B. Lesser and Daniel L. Wallach, *The Twelve Deadly Sins: An Owner's Guide to Avoiding Liability for Implied Obligations During the Construction of a Project*, 28:1 at 15 (Winter 2008)

Michael F. Nuechterlein and Brian F. Stayton, *An Owner's Implied Duty to Coordinate*, 21:3 at 22 (Summer 2001)

Stanley P. Sklar, Edward L. Filer, and Tina M. Bird, *Implied Duties of Contractors: Wait a Minute, Where is That in My Contract?* 21:3 at 11 (Summer 2001)

John E. Bulman and John W. DiNicola, *The Owner's Implied Obligations as They Apply to Scheduling*, 21:3 at 5 (Summer 2001)

Indemnity

Steven G.M. Stein and Shorge K. Sato, *Advanced Analysis of Contract Risk-Shifting Provisions: Is Indemnity Still Relevant?*, 27:4 at 5 (Fall 2007)

Allen Holt Gwyn and Paul E. Davis, *Fifty-State Survey of Anti-Indemnity Statutes and Related Case Law*, 23:3 at 26 (Summer 2003)

-*Anti-Indemnity Statutes*, 12:2 at 30 (April 1992)

J. Michael Franks, *Specific Performance of the Indemnity Agreement*, 12:2 at 1 (April 1992)

Charles A. Meeker, *Surety's Right to Specific Performance of Indemnity Agreements*, 3:2 (Spring 1982)

Insurance/Defects

David Dekker, Douglas Green and Stephen Palley, *The Expansion of Insurance Coverage for Defective Construction*, 28:4 at 19 (Fall 2008)

James Duffy O'Connor, *Construction Defects: "Property Damage" and the Commercial General Liability Policy*, 24:2 at 11 (Spring 2004)

Insurance & Insured Risk

Sandy M. Kaplan, Kimberly S. Bunting, and Amy Hobbs Iannone, *OCIPs, CCIPs, and Project Policies*, 29:3 at 11 (Summer 2009)

Sean T. Devenny and Gregg Bundschuh, *Is the Line Blurring Between General and Professional Liability?*, 29:2 at 15 (Spring 2009)

Benton T. Wheatley, *Defending Subrogation Claims in Design and Construction Cases*, 25:3 at 32 (Summer 2005)

Trisha Strode, *From the Bottom of the Food Chain Looking Up: Subcontractors and the Full Costs of Additional Insured Endorsements*, 25:3 at 21 (Summer 2005)

Glenn T. Barger and Lisa M. Tracy, *The Impact of Disappearing Carriers on Construction Defect Litigation*, 25:3 at 16 (Summer 2005)

Clifford J. Shapiro, *The Good, the Bad, and the Ugly: New State Supreme Court Decisions Address Whether an Inadvertent Construction Defect is an "Occurrence" Under CGL Policies*, 25:3 at 9 (Summer 2005)

Jack P. Gibson and W. Jeffrey Woodward, *The 2004 ISO Additional Insured Endorsement Revisions*, 25:3 at 5 (Summer 2005)

James D. Weier, Seth D. Lamden, and Ric D. Glover, *Preserving Consequential Damages Through Limited Waivers and Insurance Coverage*, 22:3 at 22 (Summer 2002)

Linda B. Foster, *Point/Counterpoint: No Coverage Under the CGL Policy for Standard Construction Defect Claims*, 22:2 at 18 (Spring 2002)

Clifford J. Shapiro, *Point/Counterpoint: Inadvertent Construction Defects Are an "Occurrence" under CGL Policies*, 22:2 at 13 (Spring 2002)

Jacqueline P. Sirany and James Duffy O'Connor, *Controlled Construction Insurance Programs: Putting a Ribbon on Wrap-Ups*, 22:1 at 30 (Winter 2002)

Terry Gray, *Point/Counterpoint: Default Insurance – An Alternative to Traditional Surety Bonds*, 22:1 at 17 (Winter 2002)

Richard H. Glucksman and Glenn T. Barger, *Additional Insured Endorsements: Their Vital Importance in Construction Defect Litigation*, 21:1 at 30 (Winter 2001)

James Duffy O'Connor, *What Every Construction Lawyer Should Know About CGL Coverage for Defective Construction*, 21:1 at 22 (Winter 2001)

Timothy L. Pierce, *California Courts Examine Definition of 'Legally Liable' in CGL Policies*, 19:2 at 22 (April 1999)

Patrick J. O'Connor, Jr., *Commercial General Liability Coverage*, 19:2 at 5 (April 1999)

David E. Bergquist, *A Guide to Insurance Requirement Changes in the 1997 AIA Construction Contracts*, 18:4 at 25 (October 1998)

Scott C. Turner, *Insurance Coverage for Incorporation of Defective Construction Work or Products*, 18:2 at 29 (April 1998)

Ava J. Abramowitz, *Professional Liability Insurance in the Design/Build Setting*, 15:3 at 3 (August 1995)

James E. Rudnik, *Reinsurance as a Source of Recovery for Insured Losses*, 15:1 at 31 (January 1995)

Robert Marc Chemers and James A. Knox, Jr., *When Designs Don't Work: Professional Liability Coverage of Architects and Engineers*, 15:1 at 17 (January 1995)

Terry J. Galganski, *Owners and Contractors Protective Liability: An Insurance Tool in Construction*, 15:1 at 8 (January 1995)

Kimberly L. Roberts, *Construction Accident: Who Is Liable?*, 15:1 at 3 (January 1995)

Terrence L. Brennan, *Construction Insurance: A General Perspective*, 15:1 at 1 (January 1995)

Hugh E. Reynolds, Jr. and Patrick L. Dunn, *General Liability Coverage for Property Damage Due to a Contractor's Negligent Construction*, 13:3 at 1 (August 1993)

Thomas J. Casamassima and Jeanette E. Jerles, *Defining Insurable Risk in the Commercial General Liability Insurance Policy: Guidelines for Interpreting the Work Product Exclusion*, 12:1 at 3 (January 1992)

Brunswick G. Deutsch and Ralph L. Kaskell, Jr., *Builders' Risk Insurance*, 9:2 at 8 (April 1989)

James T. Hendrick and James A. Riddle, *Commercial General Liability and Commercial Property Insurance for Contractors*, 7:2 at 5 (April 1987)

Intellectual Property

Andrew Baum and Britton Payne, *Protecting Architectural Works: Breaking New Ground with Familiar Tools*, 27:4 at 23 (Fall 2007)

David A. Roberts, *I Meant Every Word That He Said: False Designation of Origin of Construction Documents After Dastar*, 25:1 at 5 (Winter 2005)

Theodore D. Levin and Matthew L. Marshall, *Copyright Protection by Design: The B141 Document*, 21:2 at 30 (Spring 2001)

David A. Roberts, *There Goes My Baby: Buildings as Intellectual Property Under the Architectural Works Copyright Protection Act*, 21:2 at 22 (Spring 2001)

Elias M. Gordan, *A Concise Guide to Registering and Developing Your Client's Trademark*, 20:4 at 5 (October 2000)

Elias M. Gordan, *Registering Your Client's Name on the Web*, 20:1 at 47 (January 2000)

David Roberts, *After the Ball: Subsequent Use of Construction Documents After the Project for Which They Were Originally Prepared: A Sketchy Area of the Law*, 17:2 at 35 (April 1997)

Keith P. Ray, *An Analysis of the Architectural Works Copyright Protection Act of 1990*, 15:2 at 23 (April 1995)

Carl M. Sapers, *Second Thoughts on the 1990 Architectural Works Copyright Protection Act*, 13:2 at 16 (April 1993)

Scott W. Pink, *The Expanding Scope of Copyright Protection for Architectural Works*, 12:4 at 1 (November 1992)

International

David Buoncristiani, *Enforcement of International Arbitration Awards in the United States*, 27:4 at 14 (Fall 2007)

Robert W. Wachsmuth, *The United Nations Convention on Contracts for the International Sale of Goods*, 20:3 at 31 (July 2000)

William Karl Wilburn, *Germany Adopts New Procurement Code*, 19:3 at 35 (July 1999)

William F. Bresee, *Some Less Well-Known Dispute Resolution Organizations*, 19:3 at 28 (July 1999)

Allen Holt Gwyn and Benjamin O. Tayloe, Jr., *Comparison of the Major International Arbitration Rules*, 19:3 at 23 (July 1999)

Daniel G.M. Marre and Alexandra R. Cole, *Comparative View of Laws Governing Condominium-Type Projects*, 19:3 at 15 (July 1999)

David J. Barru, *Taxation of International Construction Contracts*, 19:3 at 9 (July 1999)

D. Robert Beaumont, *Assuring Performance in International Construction Contracts*, 19:3 at 5 (July 1999)

Michael Black, *Disqualifying the Expert: an English Perspective*, 16:4 at 56 (October 1996)

Paul Sandori, *Lost Money on a Project? Sue Somebody!*, 16:3 at 30 (July 1996)

Peter Fenn, Christopher Speck, and Michael O'Shea, *Witnesses of Opinion and the Use of Court Experts in the United Kingdom*, 15:4 at 30 (November 1995)

Anthony Lavers and Paul Bick, *Construction Industry Reform in the United Kingdom*, 15:4 at 35 (November 1995)

Christopher R. Seppala, *The New FIDIC International Civil Engineering Subcontract*, 15:3 at 25 (August 1995)

Patrick D. Harder, *Infrastructure Privatization in South Asia*, 15:2 at 34 (April 1995)

Richard H. Kreindler, *Court Intervention in Commercial and Construction Arbitration: Approaches in the U.S. and Europe*, 13:4 at 12 (October 1993)

Paul J. Geller, *When the Walls Come Crumbling Down: A Call for ADR in the CIC*, 13:1 at 12 (January 1993)

Christopher R. Seppala, *Contractor's Claims Under the FIDIC Civil Engineering Contract*, 13:1 at 1 (January 1993)

Michael Black, *The Economic Loss Rule in English Law*", 12:2 at 17 (April 1992); and 12:4 at 38 (November 1992)

William E. Kosar, *The Canada-U.S. Free Trade Agreement and the Construction Industry*, 11:2 at 12 (April 1991)

Richard A. Eastman, *The FIDIC Redbook Fourth Edition: Good News and Bad News*, 9:4 at 7 (November 1989)

Mark G. Chalpin, *Hostile Takeover -- Japanese Style*, 9:1 at 3 (January 1989)

Kaoru Kashiwagi, Robert A. Rubin and Marcy Ressler Harris, *Construction Law and Practice in Japan*, 9:1 at 1 (January 1989)

Christopher L. Grant, *Bidding for \$430 Million of U.S. Embassy Construction Abroad*, 6:3 at 7 (April 1986)

Donald R. Cruver, *Penetrating the International Construction Market*, 6:3 at 3 (April 1986)

James J. Myers, *International Construction Dispute Resolutions and New Alternatives*, 6:3 at 1 (April 1986)

Marvin G. Goldman, *New U.S. Trade Law: Impact on International Engineering and Construction Services*, 5:4 at 11 (April 1985)

Internet Research

Mohammad Iqbal, *Researching the Internet: Ethics and Rules of Conduct Governing Professionals*, 21:1 at 37 (Winter 2001)

Patricia A. Tobin and Stephen M. Seeger, *Researching Government Contract Law on the Internet*, 20:4 at 41 (October 2000)

Gregory W. Guedel, *Researching Contract Form on the Internet*, 20:3 at 30 (July 2000)

David T. Peitsch, *Internet Research Relating to Subsurface Conditions*, 20:2 at 20 (April 2000).

Mark J. Heley and Jay A. Kopp, *Internet Resources for Lawyers Who Represent Design Professionals*, 20:1 at 12 (January 2000)

Peter C. Halls and Michael B. Lopicola, *[International] Resources on the Internet*, 19:3 at 19 (July 1999)

Robert P. Ewing, *Internet Research for the Surety Professional*, 19:2 at 19 (April 1999)

Limitations on Actions (e.g., Statutes of Limitation, Sureties, Statutes of Repose)

G. William Quatman and Heber O. Gonzalez, *Right-to-Cure Laws Try to Cool Off Condo's Hottest Claims*, 27:3 at 13 (Summer 2007)

Jayne Czik and Thomas D. Czik, *Prerequisites to Litigation: Notice, Documentation, and Claim Submission*, 26:4 at 33 (Fall 2006)

Robert F. Carney and Nichole M. Velasquez, *The Interpretation and Enforcement of Contractual Limitation Periods Contained in Contract Surety Bonds*, 26:2 at 29 (Spring 2006)

Matthew T. Boyer, *Modern Legislation Creates Ambiguities in Determining Deadlines for Asserting Residential Construction Defect Claims*, 26:1 at 28 (Winter 2006)

Allen Holt Gwyn, *Legislative Update: Statutes of Repose*, 21:3 at 33 (Summer 2001)

Allen Holt Gwyn, *Statutes of Repose*, 12:4 at 36 (November 1992)

David B. Hamilton, *Contract Administration: Specialties, Contracts under Seal, and Statutes of Limitations*, 11:1 at 19 (January 1991)

George W. Thomas and T. Scott Leo, *Application of Statutes of Limitation Governing Construction Activity to Construction Bond Sureties*, 10:1 at 3 (January 1990)

Gary H. Ritchey, *Statutes of Repose for Latent Defects*, 8:3 at 35 (August 1988)

Larry S. McReynolds and Michael Welch, *Res Judicata and Collateral Estoppel: New Defenses in Construction Litigation?*, 5:3 at 5 (January 1985)

Margaret Bates Ellison, *Constitutionality of Colorado Statute of Limitations Upheld -- A Sequel*, 4:1 at 5 (Winter 1983)

Margaret Bates Ellison, *Statutory Termination of Perpetual Liability for Design and Construction Negligence*, 2:2 at 1 (Fall 1981)

Litigation Procedures (Filing, Discovery and Trial)

Andrew D. Ness and Louis Bagwell, *Closing Arguments: The Law and Practical Considerations*, 24:3 at 29 (Summer 2004)

Michael A. Branca and Susan M. Swafford, *Discovery and Joint Defense Agreements*, 22:1 at 27 (Winter 2002)

Carol J. Patterson and Kenneth F. Strong, *Joint Defense and Prosecution Agreements*, 21:2 at 33 (Spring 2001)

Philip L. Bruner, *Design-Build Viewed from the Surety's Perspective*, 20:3 at 17 (July 2000)

Stephen Zovickian and Geoffrey Howard, *Electronic Discovery in Construction Litigation*, 18:3 at 8 (July 1998)

Sharonrose Cannistraci, *An Unlicensed Contractor Cannot Sue in California to Recover the Value of Construction Services*, 11:3 at 21 (August 1991)

Payment and Collection (Bankruptcy, Debtor-Creditor, Liens, Miller Act)

Jonathon J. Dunn, Jocelyn Knoll, and Megan Dempsey; *Letters of Credit in Construction Projects*; 29:1 at 33 (Winter 2009)

David W. Zimmerman and Melissa A. Orien, *Can I Lien That, Too?*, 28:4 at 35 (Fall 2008)

David W. Zimmerman and Melissa A. Orien, *Can I Lien That?*, 27:4 at 28 (Fall 2007)

Robert F. Carney and Adam Cizek, *Payment Provisions in Construction Contracts and Construction Trust Fund Statutes: A Fifty-State Survey*, 24:4 at 5 (Fall 2004)

William M. Hill and Donna M. Evans, *Pay When Paid Provisions: Still a Conundrum*, 18:2 at 16 (April 1998)

Justin Sweet, *Mechanics' Liens*, 18:1 at 47 (January 1998)

David R. Hendrick, John I. Spangler III, and Robert B. Wedge, *Battling For the Bucks: The Great Contingency Payment Clause Debate*, 16:3 at 12 (July 1996)

Douglas S. Oles, *Remedies for Nonpayment in Four Standard Construction Contracts*, 16:2 at 20 (April 1996)

Allen Holt Gwyn, *Contractor/Subcontractor Prompt Pay Acts -- Public and Private Projects*, 16:1 at 61 (January 1996)

Julia Blackwell Gelinias, *Recent Developments Under the Miller Act*, 16:1 at 53 (January 1996)

Richard A. Stockenberg and Jennifer Sappenfield Woodbury, *Retainage Revisited: A Time to Revise and Reform*, 16:1 at 41 (January 1996)

Buckner Hinkle, Jr., *The Payment Process Under A201*, 16:1 at 25 (January 1996)

Buckner Hinkle, Jr., *The Payment Process Under A201*, 16:1 at 25 (January 1996)

L. Wearen Hughes and Beth A. Dunning, *Holding On To What You Have Been Paid: Defending a Preference Action Against a Contractor, Subcontractor or Supplier*, 16:1 at 15 (January 1996)

Gerald B. Kirksey and Judith L. Maute, *MoneyMoneyMoney: Legal and Ethical Dilemmas in the Construction Payment Process*, 16:1 at 3 (January 1996)

Allen Holt Gwyn, *The Bankruptcy Reform Act of 1994: A Codification of the Status Quo?*, 15:4 at 50 (November 1995)

James J. Mercier, *Little Miller Acts: Liability of Public Owners for Failure to Obtain Payment Bonds on Public Construction Projects*, 14:4 at 7 (October 1994)

E. A. "Seth" Mills, Jr. and Jeffrey M. Paskert, *What Lies Behind the Doebr? A Review of the Constitutionality of Mechanics' Lien Laws*, 14:4 at 3 (October 1994)

Frederic E. Cann, *What to Do When There Is No Miller Act Payment Bond*, 14:2 at 1 (April 1994)

John G. McGill, *Liens and Arbitration*, 13:2 at 3 (April 1993)

Robert J. Sessler, *Bottom of the Totem Pole: Legal Risks and Payment Problems of Subcontractors*, 12:4 at 23 (November 1992)

Gerald B. Kirksey, *Minimum Decencies -- A Proposed Resolution of The 'Pay-When-Paid'/'Pay-If-Paid' Dichotomy*, 12:1 at 1 (January 1992)

Gerald B. Kirksey and Sherrie L. Brown, *The 'Pay-When-Paid'/'Pay-If-Paid' Dichotomy and the Florida Trilogy -- Bright Line or Murky Fog?*, 11:4 at 8 (October 1991)

Timothy J. Missling, *Effect of a Subsequent Bankruptcy on Construction Project Payments Issue: Is a Payment Made by a General Contractor to Its Subcontractor or Supplier, before Going into Bankruptcy, Avoidable as a Preferential Transfer?*, 11:1 at 10 (January 1991)

Steven M. Siegfried and Stanley P. Sklar, *Overview of the Uniform Construction Lien Act*, 10:3 at 13 (August 1990)

Edward Graham Gallagher, *Unpaid Subcontractor's or Supplier's Right to Payment out of Contract Funds*, 10:1 at 9 (January 1990)

Stephen G. Walker and Ronald L. Shumway, *Practical Alternatives When Your Subcontractor Client Cannot Bond*, 8:3 at 30 (August 1988)

H. Bruce Shreves, *Contractor's and Surety's Rights and Liabilities Upon Owner Insolvency: An Update on the 'Pay When Paid' Clauses*, 8:3 at 21 (August 1988)

Sidney R. Barrett, *Joint Check Arrangements: A Release for the General Contractor and its Surety*, 8:2 at 7 (April 1988)

Robert M. Wright, *Cost Plus Contracts: The Construction Contractor -- Is He A Fiduciary?*, 7:1 at 3 (January 1987)

Robert A. Rubin, *Bankruptcy -- From the Vantage Point of the Contractor*, 5:2 at 9 (Summer 1984)

George J. Marcus, *Rights and Remedies of the Subcontractor Material Furnisher Upon Bankruptcy of Contractor*, 5:2 at 3 (Summer 1984)

Robert L. Meyers, III and Michael F. Albers, *The Contractor in Bankruptcy -- Protecting the Interests of the Owner*, 5:2 at 1 (Summer 1984)

Deborah S. Griffin and William F. Macauley, *General Contractor in Wonderland: Selected Problems in Reorganization Under the Bankruptcy Code - Parts I & II*, 4:3 at 1 (Summer 1983) and 4:4 at 3 (Fall 1983)

John McGill, *Construction Liens*, 4:1 at 3 (Winter 1983)

John McGill, *Mechanic's Liens Filing Requirements State-by-State Compilation*, 2:2 at 35 (Fall 1981) and 3:1 at 10 (Winter 1982)

Lawrence R. Anderson & John C. Anderson, *The Construction Industry Looks at the New Bankruptcy Code*, 1:3 at 1 (Winter 1981)

Project Management (e.g., Construction Management, Inspection and Administration)

Kevin F. Peartree; *The ConsensusDOCS 300 Standard Form of Agreement for Collaborative Project Delivery*, 29:1 at 25 (Winter 2009)

Howard W. Ashcraft, *Building Information Modeling: A Framework for Collaboration*, 28:3 at 5 (Summer 2008)

Bruce R. Gerhardt, *The Context of the Evolution of Design and Electronic Tools*, 28:3 at 19 (Summer 2008)

Timothy M. O'Brien; *Successfully Navigating Your Way Through the Electronically Managed Project*, 28:3 at 25 (Summer 2008)

William A. Lichtig, *The Integrated Agreement for Lean Project Delivery*, 26:3 at 25 (Summer 2006)

John I. Spangler, III and William M. Hill, *The Evolving Liabilities of Construction Managers*, 19:1 at 30 (January 1999)

Tarek F. Abdalla and David A. Hudock, *Liability Issues in Multiprime Contracting: The Duty to Coordinate and Direct Liability for Delay*, 18:1 at 31 (January 1998)

David Scotti, *Program Management: the Owner's Perspective*, 16:4 at 15 (October 1996)

James Duffy O'Connor, *On Platypuses and Program Management*, 16:4 at 11 (October 1996)

Christopher L. Noble, *Program Management: the Design Professional's Perspective*, 16:4 at 5 (October 1996)

Cheryl Terio, *Program Management: a New Role in Construction*, 16:4 at 4 (October 1996)

Stanley P. Sklar, *On the Psychology of Incompetence in the Construction Process*, 14:2 at 9 (April 1994)

John D. Borcharding and Luis F. Alarcon, *Quantitative Effects on Construction Productivity*, 11:1 at 1 (January 1991)

James Michael Cady, *Government Agency Liability for Construction Review: A Designer's Perspective*, 8:1 at 5 (January 1988)

Howard G. Goldberg and Ralph L. Arnsdorf, *Construction Certification: A Trap for the Unwary Architect*", 6:2 at 1 (January 1986)

John E. Schone, *Delay Problems in Multiple-Prime Contractor Construction Contracts: A Management Perspective*, 5:3 at 1 (January 1985)

Richard F. Smith and Arthur I. Leaderman, *Dobson v. Rutgers: A Roll of the Dice for Multi-Prime Contractors*, 5:1 at 3 (Spring 1984)

Scheduling and Delays

Richard H. Lowe, Evans M. Barba, and Gregory b. Lare, *View From Across the Pond: An American Perspective on the Society of Construction Law's Delay and Disruption Protocol*, 27:1 at 5 (Winter 2007)

Alan E. Harris, Barry B. Bramble and Bridge K. Kaman, *Early Completion Schedules*, 23:4 at 34 (Fall 2003)

Jon M. Wickwire and Stuart Ockman, *Use of Critical Path Method on Contract Claims -- 2000*, 19:4 at 12 (October 1999)

Richard H. Lowe and Elise H. Walthall, *When Architects Withhold Certificates of Substantial Completion, and Other Problems*", 19:4 at 5 (October 1999)

Susan Sisskind Dunne, *'No Damage for Delay' Clauses*, 19:2 at 38 (April 1999)

Peter M. Kutil and Andrew D. Ness, *Concurrent Delay: The Challenge to Unravel Competing Causes of Delay*, 17:4 at 18 (October 1997)

Ian A. L. Strogatz, William J. Taylor, and Gavin P. Craig, *Pricing the Delay: Whom Do I Sue and What Do I Get?*, 17:4 at 4 (October 1997)

Douglas S. Oles, *The Inexact Science of Delay Analysis*, 17:4 at 3 (October 1997)

Michael G. Long, *Waiver of the Contract Completion Date in Government Contracts*, 12:2 at 3 (April 1992)

Steven S. Pinnell, *Construction Scheduling Disputes: Proving Entitlement*, 12:1 at 18 (January 1992)

Gary S. Wigal, *Interference with a Contractor's Early Completion of a Construction Project*, 10:4 at 17 (November 1990)

Robert L. Crewdson, *Recovering Delay Damages Against an Architect: An Owner's Approach*, 9:1 at 24 (January 1989)

Richard Gary Thomas & Fred D. Wilshusen, *How to Beat a 'No Damage for Delay' Clause*, 9:1 at 17 (January 1989)

Stephen G. Walker, *Statutory Responses to 'No Damage for Delay' Clauses*, 6:3 at 9 (April 1986)

John E. Schone, *Delay Problems in Multiple-Prime Contractor Construction Contracts: A Management Perspective*, 5:3 at 1 (January 1985)

Site Conditions

Michael Beard, *Contractor Claims Based on Encountering Unanticipated Hazardous Materials On Site*, 20:3 at 24 (July 2000)

Steven G. M. Stein and Carl L. Popovsky, *Liability for Differing Site Conditions and Risk-Sharing Philosophy*, 20:2 at 13 (April 2000).

Jeffrey M. Chu, *Differing Site Conditions: Whose Risk Are They?*, 20:2 at 5 (April 2000).

Subcontracting

James F. Nagle; *A Primer on Prime-Subcontractor Disputes Under Federal Contracts*; 29:1 at 39 (Winter 2009)

Joseph C. Kovars and Micael A. Schollaert, *Truth and Consequences: Withdrawn Bids and Legal Remedies*, 26:3 at 5 (Summer 2006)

Carl A. Calvert and Carl F. Ingwolson, Jr., *Pass Through Claims and Liquidation Agreements*, 18:4 at 29 (October 1998)

Allen Holt Gwyn, *A Review of Subcontractor-Listing Statutes*, 17:1 at 35 (January 1997)

Christopher R. Seppala, *The New FIDIC International Civil Engineering Subcontract*, 15:3 at 25 (August 1995)

Robert J. Sessler, *Bottom of the Totem Pole: Legal Risks and Payment Problems of Subcontractors*, 12:4 at 23 (November 1992)

John V. Tocco, *Analysis of a Survey: How Subcontractors Use Lawyers in Construction Disputes*, 12:4 at 3 (November 1992)

Eric C. Rowe and Allen Holt Gwyn, *Home Electric v. Star Paving Promissory Estoppel Debate: The Rules of Offer and Acceptance Have Not Been Abandoned*, 11:1 at 7 (January 1991)

Francis J. Hughes and William K. Hurley, *Home Electric/Hall versus Drennan/Star Paving: Mutuality is No Substitute for Equity*, 10:3 at 25 (August 1990)

Steven M. Siegfried and Mark Lawrence, *Home Electric v. Hall & Underdown Heating & Air Conditioning: Mutuality Remains the Only Solution to the Construction Bidding Problem*, 9:4 at 3 (November 1989)

John P. Colangelo, *Protecting Owners from Subcontractor Extra-Work Claims*, 9:1 at 9 (January 1989)

Stanley P. Sklar, *An Analysis of the AIA A401 Subcontract (1987 Ed.) -- The Subcontractor's Viewpoint*, 8:1 at 3 (January 1988)

Stanley P. Sklar, *A Subcontractor's View of Construction Contracts*, 8:1 at 1 (January 1988)

Sureties

Joseph C. Kovars and Jay Bernstein, *When the Shoes Don't Fit: Defenses of the Principal That Are Unavailable to the Surety*, 29:3 at 24 (Summer 2009)

Brian S. Dranoff and Alexander E. Barthel, *Payment Bond Payout: The Forty-Five-Day Countdown*, 25:1 at 17 (Winter 2005)

Lawrence R. Moelmann and Eric J. Strobel, *The Exposure of the Surety and Insurance Carrier to Mold Claims*, 24:2 at 19 (Spring 2004)

Lynn M. Schubert and Robert J. Duke, *Point/Counterpoint: Surety Bonds – The Best Protection Against Contractor or Subcontractor Default*, 22:1 at 22 (Winter 2002)

Robert G. Watt, Vivian Katsantonis, and Christopher J. Brasco, *The Surety's Procedures for Preserving and Defending Its Rights Following a Default Termination*, 22:1 at 10 (Winter 2002)

Daniel E. Toomey and Tamara McNulty, *Surety Bonds: A Basic User's Guide for Payment Bond Claimants and Obligees*, 22:1 at 5 (Winter 2002)

Christopher L. Kanzler and W. Dudley McCarter, *The Effect of a Disputes Clause and Pay-If-Paid Provisions on Miller Act Claims and the Types of Damages Recoverable Under the Act*, 21:3 at 28 (Summer 2001)

William Garth Snider, *Impaired Bonding Claims*, 19:4 at 36 (October 1999)

Adam Nahmias, *Delay Damages and the Miller Act Payment Bond Surety*, 19:1 at 36 (January 1999)

Dan Douglass, Brendan McCarthy, and Eric Nelson, *Delay Claims Against the Surety*, 17:3 at 4 (July 1997)

Philip L. Bruner, Patrick J. O'Connor Jr., and James J. Hartnett IV, *The Surety's Response to the Obligee's Declaration of Default and Termination: 'To Perform or Not to Perform -- That is the Question'*, 17:1 at 3 (January 1997)

Jacqueline T. Lewis, J. Michael Franks, and John H. Rowland, *Prepetition Planning for Contract Sureties*, 15:3 at 41 (August 1995)

John G. McGill, *Bonds and Arbitration*, 14:2 at 18 (April 1994)

Daniel E. Toomey, J. Kent Holland Jr., and Lawrence F. Delmore, *Surety, Insurance, Construction and Hazardous Waste: A Toxic Mix?*, 14:1 at 31 (January 1994)

James A. Knox, *Quid without Quo: The Surety's Overpayment Defense*, 13:4 at 3 (October 1993)

Charles J. Herman and Kip Hamilton, *Saving 'Real' Money When Investigating Trouble Contractors*, 13:2 at 18 (April 1993)

Jeffrey D. Thomas, *New Protections for the Surety in the Collective Action Theory of Chapter 11 Bankruptcy*, 12:4 at 16 (November 1992)

Daniel E. Toomey and William B. Fisher, *Is a Surety Obligated to Investigate Financing a Contractor Who Requests Financial Assistance?*, 12:4 at 11 (November 1992)

Vincent J. Zichello, *The TPK Case: Useful Innovation or Mistake?*, 12:3 at 3 (August 1992)

J. Michael Franks, *Specific Performance of the Indemnity Agreement*, 12:2 at 1 (April 1992)

Sam H. Poteet, Jr. and J. Michael Franks, *Entitlement to Contract Funds Among Competing Surety, Lender, Contractor and the Internal Revenue Service*, 9:4 at 11 (November 1989)

J. Charles Sheak and Timothy J. Korzun, *Liquidated Damages and the Surety: Are They Defensible?*, 9:2 at 19 (April 1989)

Richard L. Lambe, *Life Among the Ruins -- Pursuit of Claims by a Takeover Surety*, 7:3 at 5 (August 1987)

Carol Pratt Perry, *Third Party Tort Claimants Can Recover against Sureties under Construction Bonds: Is the Bond a Comprehensive General Liability Policy?*, 5:4 at 5 (April 1985)

Bruce Charles King, *Notice Provisions in Payment and Performance Bonds: What Effect Does Noncompliance Have on the Surety's Liability?*, 5:2 at 7 (Summer 1984)

Ronald K. Barker, *Third-Party Tort Claimants and the Contract Bond Surety*, 5:1 at 7 (Spring 1984)

Deborah S. Griffin and Allen N. David, *Unfair Inducement of Surety to Issue Bonds: An Expansion of the Surety's Salvage Option*, 5:1 at 1 (Spring 1984)

Stephen B. Sutton, *Contractor's Default: Can the Surety Take the Construction Materials?*, 4:3 at 5 (Summer 1983)

Richard H. Rogers, *Construction Surety's Liability for Pre-Judgment Interest*, 4:3 at 3 (Summer 1983)

John C. Hayes, Jr., *The Blacklisting Threat and the Surety's Response*, 4:1 at 1 (Winter 1983)

Charles A. Meeker, *Surety's Right to Specific Performance of Indemnity Agreements*, 3:2 (Spring 1982)

James A. Knox, *What Constitutes a Default Sufficient to Justify Termination of the Contract: The Surety's Perspective*, 2:1 at 1 (Summer 1981)

James F. Crowder, Jr., *The Whole Story on the Contractor-Surety Warranty Period*, 1:4 at 3 (Spring 1981)

Hugh E. Reynolds, Jr., *The Pyramids Case: What Duty Should a Contract Surety Have to Investigate or Inspect Before Denying a Claim?*, 1:1 at 1 (Spring 1980)

Taxes and Accounting

David J. Barru, *Taxation of International Construction Contracts*, 19:3 at 9 (July 1999)

Lawrence R. Moelmann and Kevin W. Bruning, *The Federal Tax Levy: Does It Really Deprive the Owner and the Surety of Their Rights to Contract Balances?*, 16:1 at 33 (January 1996)

Richard A. Hanson, *Plant Design and Construction -- Saving Federal and State Taxes*, 10:4 at 3 (November 1990)

Anatole G. Richman and Thomas R. Porter, *Tax Traps for the Small and Mid-Sized Business*, 5:4 at 9 (April 1985)

Anatole G. Richman and Thomas R. Porter, *Employee Stock Ownership Plans: A Better Way to Increase Productivity, Reduce Corporate Taxes and Finance Growth*, 5:3 at 3 (January 1985)

Frank M. Hull and Michael L. Chapman, *An Overview of the Liability of the Contractor's Accountant to Third Parties in the Construction Industry*, 4:2 at 1 (Spring 1983)

Taxes and Environmental

Ruth N. Holzman, *New Tax Incentives for "Green" Buildings Have Owners Seeing Green*, 27:3 at 24 (Summer 2007)

Termination

Douglas M. Poulin, *Abandoning the Construction Project*, 28:3 at 48 (Summer 2008)

Joseph D. West, *Practical Advice Concerning the Federal Government's Termination for Convenience Clause*, 17:4 at 26 (October 1997)

Robert A. Rubin and Dana Wordes, *Life at the Bottom of the Heap: Default Termination from the Subcontractors' and Suppliers' Perspective*, 17:2 at 29 (April 1997)

Mark J. Heley and Mark A. Bloomquist, *The Design Professional's Role in Termination of the Contractor*, 17:2 at 3 (April 1997)

Deborah S. Griffin, *Post-Termination Bankruptcy Considerations for the Defaulted Contractor*, 17:1 at 24 (January 1997)

Philip L. Bruner, Patrick J. O'Connor Jr., and James J. Hartnett IV, *The Surety's Response to the Obligee's Declaration of Default and Termination: 'To Perform or Not to Perform -- That is the Question'*, 17:1 at 3 (January 1997)

Mark B. Chassman and Debra Tilson Lambeck, *Termination for Convenience - Costs Recoverable*, 7:3 at 3 (August 1987)

James A. Knox, *What Constitutes a Default Sufficient to Justify Termination of the Contract: The Surety's Perspective*, 2:1 at 1 (Summer 1981)

Warranties

R. Harper Heckman, *Drafting the "Perfect" One-Year Warranty*, 27:3 at 5 (Summer 2007)

Steven B. Lesser and Daniel L. Wallach, *Risky Business: The "Active Interference" Exception to No-Damage-for-Delay Clauses*, 23:1 at 26 (Winter 2003)

David A. Senter, *Construction Warranties and Guarantees: A Primer*, 23:1 at 17 (Winter 2003)

Lorence H. Slutzky, *Fully Understanding and Utilizing the Call Back Warranty*, 23:1 at 13 (Winter 2003)

Miscellaneous

Scott C. Ryan and Dr. John B. Miller, *Effective Corporate Records Retention in the Construction Industry*, 28:1 at 22 (Winter 2008)

Anne Gorham, William Offutt, and John B. Miller, *Point/Counterpoint Exchange on the New Model Procurement Code*, 20:4 at 7 (October 2000)

Douglas S. Oles, *Reform Ideas from Past Forum Chairs*, 20:3 at 47 (July 2000)

Hugh E. Reynolds, Jr., *The Construction Lawyer: A Man or Woman for all Seasons*, 20:2 at 47 (April 2000)

Harold P. Coxson, *Federal Construction Spending for FY2000: The Making of Law and Sausage*, 20:1 at 45 (January 2000)

Krista L. Pages, *Defense Privatization -- Opportunities for the Construction Industry*, 19:4 at 39 (October 1999)

Lori Ann Lange, *Transportation Equity Act for the Twenty-First Century*, 18:3 at 33 (July 1998)

Thomas J. Stipanowich, *Two-Minute History of Construction Law (King James Version)*, 14:3 at 28 (August 1994)

Justin Sweet, *Blueprint for an Authoritative Treatise on American Construction Law*, 12:2 at 11 (April 1992)

Ralph L. Kaskell, *The Genesis of the ABA Forum Committee on the Construction Industry*, 8:1 at 15 (January 1988)

AUTHOR INDEX (Issues 1:1 to 29:2)

Abdalla, Tarek F., and David A. Hudock, *Liability Issues in Multiprime Contracting: The Duty to Coordinate and Direct Liability for Delay*, 18:1 at 31 (January 1998)

Abramowitz, Ava J., *Professional Liability Insurance in the Design/Build Setting*, 15:3 at 3 (August 1995)

Ackerman, Douglas W. and Frederic V. Lyon, *Controlling Disputes by Controlling the Forum: Forum Selection Clauses in Construction Contracts*, 22:4 at 15 (Fall 2002)

Aiken, Jeffrey P., *Special Verdicts in Construction Litigation Combining Tort and Contract Claims*, 26:2 at 36 (Spring 2006)

Alarcon, Luis F., and John D. Borcharding, *Quantitative Effects on Construction Productivity*, 11:1 at 1 (January 1991)

Albers, Michael F., and Robert L. Meyers III, *The Contractor in Bankruptcy -- Protecting the Interests of the Owner*, 5:2 at 1 (Summer 1984)

Alonzi, Christopher H., *Protecting Security-Sensitive Plans and Specifications for Local Public Works Projects*, 25:2 at 42 (Spring 2005)

Anderson, Elizabeth J., *Stepping on the Judiciary's Toes: Can Arbitration Agreements Modify the Standard of Review That the Judiciary Must Apply to Arbitration Decisions?*, 24:3 at 13 (Summer 2004)

Anderson, Hugh and Paul M. Lurie, *The Practice of Architecture and Engineering by Limited Liability Entities Across State Lines*, 24:1 at 24 (Winter 2004)

Anderson, John C. and Lawrence R. Anderson, *The Construction Industry Looks at the New Bankruptcy Code*, 1:3 at 1 (Winter 1981)

Anderson, Jon T., and G. W. Snipes, *Stretching the Concept of Mini-Trials: The Case of Bechtel and the Corps of Engineers*, 9:2 at 3 (April 1989)

Anderson, Lawrence R. and John C. Anderson, *The Construction Industry Looks at the New Bankruptcy Code*, 1:3 at 1 (Winter 1981)

Andrew, Michael W. Jr., and Steven R. Schooley, *The Devil in Devolution: State and Local Preference Programs*, 16:4 at 18 (October 1996)

Arnsdorf, Ralph L., and Howard G. Goldberg, *Construction Certification: A Trap for the Unwary Architect*, 6:2 at 1 (January 1986)

Ashcraft, Howard W., *CERCLA Arranger Liability: Emerging Risk for Environmental Consultants*, 14:1 at 42 (January 1994)

-*Building Information Modeling: A Framework for Collaboration*, 28:3 at 5 (Summer 2008)

-*Enforceability of Limitation of Liability Clauses*, 14:2 at 12 (April 1994)

-*Limitation of Liability -- The View after Markborough*, 11:3 at 3 (August 1991)

-*Volt v. Board of Trustees: Construction Arbitration and the Making of a Federal Case*, 8:3 at 1 (August 1988)

- and Kimberley A. Hurtado; *Developing Meaningful Contract Terms for Electronic Communications on Construction Projects*; 29:2 at 5 (Spring 2009)

Asselin, Thomas H., and L. Bruce Stout, *Legal Exposure of the Design/Build Participants: The View of the General Contractor*, 15:3 at 8 (August 1995)

Augustine, Mary Jane, and Christopher S. Dunn, *Consequences of Ownership or Licensing of the Project Drawings – If You Pay for it, Do You Own It?* 28:3 at 35 (Summer 2008)

Autry, Brian A. and Lawrence C. Melton, *Beyond His Power to Build It: Who Is to Blame for the Overbudget Project?* 25:1 at 20 (Winter 2005)

Axelroth, Lynn R., *Mutual Waiver of Consequential Damages -- The Owner's Perspective*, 18:1 at 11 (January 1998)

-and W. Alexander Moseley, *Owners' and Contractors' Commentaries on Problem Profusions*, 28:2 at 26 (Spring 2008)

Azman, Mark R., and Jerome V. Bales and Shamus O'Meara, *The "Betterment" or Added Benefit Defense*, 26:2 at 14 (Spring 2006)

Bagwell, Louis and Andrew D. Ness, *Closing Arguments: The Law and Practical Considerations*, 24:3 at 29 (Summer 2004)

Bailey, Thurston C., Henry W. Sledz, Jr. and Matthew D. Lahey, *Responding to Picketing at the Work Site*, 28:4 at 5 (Fall 2008)

Bain, James W., and Alvin M. Cohen, *Negligence Claims in Construction Litigation*, 8:2 at 3 (April 1988)

Bales, Jerome V., and Shamus O'Meara, and Mark R. Azman, *The "Betterment" or Added Benefit Defense*, 26:2 at 14 (Spring 2006)

Ballati, Deborah S., *Criminal Penalties in Federal Environmental Statutes*, 13:4 at 36 (October 1993)

-*Legislation Since Croson*, 13:1 at 7 (January 1993)

Banick, Lisa A. and Robert A. Rubin, *The Hyatt Regency Decision -- One View*, 6:4 at 20 (August 1986)

Barba, Evans M., Richard H. Lowe and Gregory B. Lare, *View From Across the Pond: An American Perspective on the Society of Construction Law's Delay and Disruption Protocol*, 27:1 at 5 (Winter 2007)

Thomas Barfield, *Comparing the New AIA A201 and ConsensusDOCS 200 Contract Terms*, 28:4 at 5 (Spring 2008)

Barger, Glenn T. and Richard H. Glucksman, *Managing Construction Defect Cases*, 16:3 at 7 (July 1996)

- *The Impact of Disappearing Carriers on Construction Defect Litigation*, 25:3 at 16 (Summer 2005)

- *Additional Insured Endorsements: Their Vital Importance in Construction Defect Litigation*, 21:1 at 30 (Winter 2001)

Barker, Ronald K., *Third-Party Tort Claimants and the Contract Bond Surety*, 5:1 at 7 (Spring 1984)

Barrett, Sidney R., Jr., *The Center Holds: The Continuing Role of the Economic Loss Rule in Construction Litigation*, 11:2 at 3 (April 1991)

-*Joint Check Arrangements: A Release for the General Contractor and its Surety*, 8:2 at 7 (April 1988)

Barru, David J., *Taxation of International Construction Contracts*, 19:3 at 9 (July 1999)

Barthet, Alexander E. and Brian S. Dranoff, *Payment Bond Payout: The Forty-Five-Day Countdown*, 25:1 (Winter 2005) 25:1 at 17 (Winter 2005)

Baskin, Maurice, *The Case Against Union-Only Project Labor Agreements*, 19:1 at 14 (January 1999)

Bastianelli III, Adrian L. and Lori Ann Lange, *Litigating with the Federal Government*, 20:4 at 24 (October 2000)

Battelle, Anthony E., *The Growing Impact of AD on the Construction Industry: 'Real Time' Dispute Processing on the Boston Central Artery/Tunnel Project*, 15:4 at 13 (November 1995)

Baum, Andrew and Britton Payne, *Protecting Architectural Works: Breaking New Ground with Familiar Tools*, 27:4 at 23 (Fall 2007)

Beard, Michael, *Contractor Claims Based on Encountering Unanticipated Hazardous Materials On Site*, 20:3 at 24 (July 2000)

Beaumont, D. Robert, *Assuring Performance in International Construction Contracts*, 19:3 at 5 (July 1999)

Beck, Linda R., *Ethical Issues in Joint Representation Under Subcontract Requirements for Defense and Additional Insured Status*, 15:1 at 25 (January 1995)

Becker, Mark R. and Paul M. Lurie, *Kumho Tire and Judicial Scrutiny of Expert Testimony by Engineers*, 20:3 at 37 (July 2000)

Bernstein, Jay and Joseph C. Kovars, *When the Shoes Don't Fit: Defenses of the Principal That Are Unavailable to the Surety* 29:3 at 24 (Summer 2009)

Bell, Hubert J., Jr., and Luther P. House, Jr., *The Economic Loss Rule: A Fair Balancing of Interests*, 11:2 at 1 (April 1991)

Bellas, Leslie, *Recent Regulatory Developments Affecting Construction and Demolition Debris*, 14:1 at 26 (January 1994)

Berg, Eric A. and Powers, Dennis J., *Accessibility: Not Just the Owner's Responsibility*, 21:2 at 13 (Spring 2001)

- *Accessibility Laws – An Ounce of Prevention is Worth a Pound of Cure*, 28:1 at 5 (Winter, 2008) (with Bill Hecker)

Bergeron, Keith J., L. Wearen Hughes and Brian M. Dobbs, *Point/Counterpoint on Key Provisions of B101 (Standard Form of Agreement Between Owner and Architect): The Hot Button Issues and How They Have Changed*, 28:2 at 37 (Spring 2008)

Bergquist, David E., *A Guide to Insurance Requirement Changes in the 1997 AIA Construction Contracts*, 18:4 at 25 (October 1998)

Berry, Mark R. and Daniel E. Toomey, *The Scheduling Expert: A Primer on Preparing Direct and Cross*, 15:2 at 63 (April 1995)

Bick, Paul, and Anthony Lavers, *Construction Industry Reform in the United Kingdom*, 15:4 at 35 (November 1995)

Biles, Barbara, and Steven W. Weston, *National Environmental Policy Act: Issues Impacting Construction*, 14:1 at 4 (January 1994)

Bird, Tina M., Edward L. and Stanley and P. Sklar, *Implied Duties of Contractors: Wait a Minute, Where is That in My Contract?* 21:3 at 11 (Summer 2001)

Black, Michael, Wendy Kennedy Venoit and George J. Pierson, *Arbitration of Cross-Border Disputes*, 27:2 at 5 (Spring 2007)

- *Disqualifying the Expert: an English Perspective*, 16:4 at 56 (October 1996)

- *The Economic Loss Rule in English Law*, 12:2 at 17 (April 1992); and 12:4 at 38 (November 1992)

Bloomquist, Mark A., and Mark J. Heley, *The Design Professional's Role in Termination of the Contractor*, 17:2 at 3 (April 1997)

Bolema, Theodore R. and Nancy J. White, *Federal Antitrust Law Implications of Bid Shopping*, 24:1 at 37 (Winter 2004)

Bomba, Michael B., Suzanne H. Harness, Kenneth W. Cobleigh and Howard G. Goldberg, *2007 Revisions to AIA Contract Documents*, 28:2 at 5 (Spring 2008)

Borcherding, John D., and Luis F. Alarcon, *Quantitative Effects on Construction Productivity*, 11:1 at 1 (January 1991)

Bourdeau, Karl S., *Minimizing Hazardous Waste Liabilities in Real Estate Transactions*, 6:4 at 1 (August 1986)

Bourque, Thomas B., and Frank A. Shepherd, *Strict Liability in the Construction Context*, 3:3 at 3 (Summer 1982)

Bowie, James M., *Ethical Issues in Construction Mediation: Are There Any Rules?*, 24:2 at 33 (Spring 2004)

Boyer, Matthew T., *Modern Legislation Creates Ambiguities in Determining Deadlines for Asserting Residential Construction Defect Claims*, 26:1 at 28 (Winter, 2006)

Bramble, Barry B., Alan E. Harris, and Bridge K. Kaman, *Early Completion Schedules*, 23:4 at 34 (Fall 2003)

Brams, Robert S., Michael J. Schaengold, and Rodney A. Grandon, *Best Value in Federal Construction Contracting*, 19:2 at 25 (April 1999)

Branca, Michael A., and Susan M. Swafford, *Discovery and Joint Defense Agreements*, 22:1 at 27 (Winter 2002)

Brasco, Christopher J., Vivian Katsantonis, Robert G. Watt, *The Surety's Procedures for Preserving and Defending Its Rights Following a Default Termination*, 22:1 at 10 (Winter 2002)

Brennan, Daniel S., *Construction Defect Claims Against Manufacturers and Suppliers*, 23:2 at 15 (Spring 2003)

Brennan, Terrence L., *Construction Insurance: A General Perspective*, 15:1 at 1 (January 1995)

Bresee, William F., *Some Less Well-Known Dispute Resolution Organizations*, 19:3 at 28 (July 1999)

Brookie, Terrence, L., *Procedural Barriers in Design-Based Claims*, 20:3 at 6 (July 2000)

Brown, Gregory and Daniel E. Toomey, *The Incredible Shrinking "American Rule": Navigating the Changing Rules Governing Attorneys' Fee Awards in Today's Construction Litigation*, 27:2 at 34 (Spring 2007)

Brown, Peter C., *Blowing the Lid Off Pandora's Box: A Look at the Effect of the Design-Build Contract on the Government Contractor Defense*, 17:3 at 17 (July 1997)

Brown, Travis W. and Benton T. Wheatley, *An Introduction to Building Information Modeling*, 27:4 at 33 (Fall 2007)

Brown, Sherrie, and L. Gerald B. Kirksey, *The 'Pay-When-Paid'/'Pay-If-Paid' Dichotomy and the Florida Trilogy -- Bright Line or Murky Fog?*, 11:4 at 8 (October 1991)

Bruner, Philip L., Patrick J. O'Connor Jr., and James J. Hartnett IV, *The Surety's Response to the Obligor's Declaration of Default and Termination: 'To Perform or Not to Perform -- That is the Question'*, 17:1 at 3 (January 1997)

-*Design-Build Viewed from the Surety's Perspective*, 20:3 at 17 (July 2000)

Bruning, Kevin W., and Lawrence R. Moelmann, *The Federal Tax Levy: Does It Really Deprive the Owner and the Surety of Their Rights to Contract Balances?*, 16:1 at 33 (January 1996)

Bucci, Joseph H., and Brian P. Kirwan, *Double Breasting in the Construction Industry*, 10:1 at 1 (January 1990)

Buchholz, Carolyn L., and Robert Taylor, *What Contractors Should Know About Environmental Remediation*, 14:1 at 15 (January 1994)

Buesing, Robert H., *Design/Build Contract Management: The Law Struggles to Keep Pace with the Design/Build Trend*, 10:1 at 14 (January 1990)

-*The Law Struggles to Keep pace with the Trend of State and Local Government Experience with Design/Build*, 11:4 at 22 (October 1991)

Bulman, John E., and John W. DiNicola, *The Owner's Implied Obligations as They Apply to Scheduling*, 21:3 at 5 (Summer 2001)

-*The Horns of a Dilemma: Too Much Involvement in Worksite Safety Can Backfire on Design Professionals*, 21:2 at 5 (Spring 2001)

Bumb, Cathleen S., *Substantial Completion*, 23:1 at 5 (Winter 2003)

-*Demucking the Wetlands Quagmire: Developments in Wetlands Regulations*, 18:1 at 39 (January 1998)

-*Lead-Based Paint Regulations: A New Concern?*, 18:4 at 21 (October 1998)

Bundschuh, Gregg and Sean T. Devenny; *Is the Line Blurring Between General and Professional Liability?*; 29:2 at 15 (Spring 2009)

Bunting, Kimberly S., Sandy M. Kaplan, and Amy Hobbs Iannone, *OCIPs, CCIPs, and Project Policies*, 29:3 at 11 (Summer 2009)

Buoncrisiani, David, *Enforcement of International Arbitration Awards in the United States*, 27:4 at 14 (Fall 2007)

Burch, John V., *Third-Party Beneficiaries to the Construction Contract Documents*, 8:2 at 1 (April 1988)

Burke, Thomas F., and Geoffrey T. Keating, *Cumulative Impact Claims: Can They Still Succeed?*, 20:2 at 30 (April 2000)

Butler, James F. III, and Angus N. McFadden, *Discovery of Electronic Information in Construction: Spoliation in the Electronic Era*, 23:3 at 5 (Summer 2003)

Cable, Mike A., and Lawrence H. Kay, *Researching Employment and Labor Law on the Internet*, 19:1 at 19 (January 1999)

Cady, James Michael, *Government Agency Liability for Construction Review: A Designer's Perspective*, 8:1 at 5 (January 1988)

Callahan, Michael T., *Procedures in Construction Arbitration: From an Arbitrator's View*, 3:2 at 3 (Spring 1982)

Calvert, Carl A., and Carl F. Ingwolson, Jr., *Pass Through Claims and Liquidation Agreements*, 18:4 at 29 (October 1998)

Camba, Romeo G., and David J. Hatem, *Attorney-Client Privilege, Work Product Doctrine, and In-House Counsel*, 19:4 at 22 (October 1999)

Cann, Frederic E., *What to Do When There Is No Miller Act Payment Bond*, 14:2 at 1 (April 1994)

Cannistraci, Sharonrose, *An Unlicensed Contractor Cannot Sue in California to Recover the Value of Construction Services*, 11:3 at 21 (August 1991)

Caplicki, Edmund V., III and Thomas J. Casamassima, *Electronic Evidence at Trial: The Admissibility of Project Records, E-Mail, and Internet Websites*, 23:3 at 13 (Summer 2003)

Carney, Robert F., and Adam Cizek, *Payment Provisions in Construction Contracts and Construction Trust Fund Statutes: A Fifty-State Survey*, 24:4 at 5 (Fall 2004)

-The Interpretation and Enforcement of Contractual Limitation Periods Contained in Contract Surety Bonds, 26:2 at 29 (Spring 2006)

Carter, Kevin R. and Peter J. Comodeca; *The Defense of False Claims Act Suits by Federal Subcontractors*; 29:2 at 29 (Spring 2009)

Casamassima, Thomas J., and Edmund V. Caplicki III, *Electronic Evidence at Trial: The Admissibility of Project Records, E-Mail, and Internet Websites*, 23:3 at 13 (Summer 2003)

Cashen, Christopher B., David R. Hendrick and Victoria H. Tobin, Definition and Certification of 'Claims' on Federal Public Works under the Contract Disputes Act: Smoothing Out the Rocky Road to Recovery, 13:2 at 1 (April 1993)

Caviedes, Rhonda, *Debate, Mitigate, or Wait: Addressing Unexpected Environmental Issues on Construction Sites*, 28:4 at 12 (Fall 2008)

Chalpin, Mark G., *Hostile Takeover -- Japanese Style*, 9:1 at 3 (January 1989)

Chapin, Andrew L., and David A. Senter, *Statutory Grounds for Challenging Arbitration Awards*, 19:4 at 30 (October 1999)

-An Overview of the Liability of the Contractor's Accountant to Third Parties in the Construction Industry, 4:2 at 1 (Spring 1983)

Chassman, Mark B., and Debra Tilson Lambeck, *Termination for Convenience - Costs Recoverable*, 7:3 at 3 (August 1987)

Cheezem, Janis K., *Economic Loss in the Construction Setting: Toward an Appropriate Definition of 'Other Property*, 12:2 at 21 (April 1992)

Chemers, Robert Marc, and James A. Knox, Jr., *When Designs Don't Work: Professional Liability Coverage of Architects and Engineers*, 15:1 at 17 (January 1995)

Chen, Judy H., and Joseph G. Wagman *Liability for Defective Work -- Drafting Contract Provisions from the General Contractor's Perspective*, 10:2 at 1 (May 1990)

Chiarelli, Lawrence, and Linda Chiarelli, *The Role of the Construction Manager on a Design/Build Project*, 15:2 at 58 (April 1995)

Chiarelli, Linda, and Lawrence Chiarelli, *The Role of the Construction Manager on a Design/Build Project*, 15:2 at 58 (April 1995)

Chillemi, Francine M., and Michael S. Zetlin, *Clauses Imposing Monetary Limits on Designer Liability*, 20:1 at 5 (January 2000).

Ching, Francis D.K. and Steven R. Winkel, *Building Codes Illustrated: A Guide to Understanding the International Building Code*, 25:3 at 51 (Summer 2005)

Chu, Jeffrey M., *Differing Site Conditions: Whose Risk Are They?*, 20:2 at 5 (April 2000)

Cizek, Adam and Robert F. Carney, *Payment Provisions in Construction Contracts and Construction Trust Fund Statutes: A Fifty-State Survey*, 24:4 at 5 (Fall 2004)

Claiborne, Zela G., Allen Holt Gwyn, and Nancy N. Potter, *Legislative and Judicial Responses to Limitation of Liability Provisions*, 16:4 at 61 (October 1996)

Cobleigh, Kenneth W., Suzanne H. Harness, Michael B. Bomba and Howard G. Goldberg, *2007 Revisions to AIA Contract Documents*, 28:2 at 5 (Spring 2008)

Cohen, Alvin M., and James W. Bain, *Negligence Claims in Construction Litigation*, 8:2 at 3 (April 1988)

Cohen, Melvin C., and Anna H. Oshiro, *Obstacles to Admitting Evidence in Construction Cases*, 20:1 at 36 (January 2000)

Colangelo, John P., *Protecting Owners from Subcontractor Extra-Work Claims*, 9:1 at 9 (January 1989)

Cole, Alexandra R., and Daniel G.M. Marre, *Comparative View of Laws Governing Condominium-Type Projects*, 19:3 at 15 (July 1999)

Comodeca, Peter J. and Kevin R. Carter; *The Defense of False Claims Act Suits by Federal Subcontractors*; 29:2 at 29 (Spring 2009)

Connolly, Martha A., and J. Montieth Estes, *Avoiding Exposure to Environmental Liabilities: Concerns for Sureties*, 10:3 at 33 (August 1990)

Cook, Jacques, *Modern Enhancements for PPP Concession Agreements*, 28:4 at 24 (Fall 2008)

Coote, Peter J., and Howard G. Goldberg, *Reporting and Scheduling Under AIA Documents A201 and B141: The Architect's Viewpoint*, 15:2 at 3 (April 1995)

Corgan, Brain G., Luther P. Hours Jr. and John W. Hinchey, *Do We Need Special ADR Rules for Complex Construction Cases?*, 11:3 at 1 (August 1991)

Coxson, Harold P., *Federal Construction Spending for FY2000: The Making of Law and Sausage*, 20:1 at 45 (January 2000)

Craig, Gavin P., William J. Taylor, and Ian A. L. Strogatz, *Pricing the Delay: Whom Do I Sue and What Do I Get?*, 17:4 at 4 (October 1997)

Crewdson, Robert L., *Recovering Delay Damages Against an Architect: An Owner's Approach*, 9:1 at 24 (January 1989)

Crawford, John T., Jr., and Franklin L. Elmore, *Defenses in Construction Defect Cases*, 23:2 at 27 (Spring 2003)

Crist, Jr., Ph.D., P.E., Robert A., Richard McKim Preston, and Marcus Eyth; *Joint Defense Agreements Between Owners and Design Professionals*; 29:2 at 35 (Spring 2009)

Crowder, James F., Jr., *The Whole Story on the Contractor-Surety Warranty Period*, 1:4 at 3 (Spring 1981)

Cruver, Donald R., *Penetrating the International Construction Market*, 6:3 at 3 (April 1986)

Cunningham, F. Malcolm, *Cardinal Change: Discharge of the Surety's Obligation*, 22:4 at 12 (Fall 2002)

Cushman, Kenneth M., *Arbitration of Construction Disputes*, 1:2 at 1 (Fall 1980)

Cushman, Robert F., and Kenneth I. Levin, *The Contractor's Rights against the Design Professional*, 6:2 at 7 (January 1986)

Czik, Jayne and Thomas D. Czik, *Prerequisites to Litigation: Notice, Documentation, and Claim Submission*, 26:4 at 11 (Fall 2006)

Czik, Thomas D. and Jayne Czik, *Prerequisites to Litigation: Notice, Documentation, and Claim Submission*, 26:4 at 11 (Fall 2006)

Dapper, David P., Donald B. Leach Jr., and Mary J. McElroy, *Design and Construction Form Documents*, 11:1 at 3 (January 1991)

Daniel, Bonnie Lee, and Laird E. Lawrence, *Construction Warranties in Texas*, 13:2 at 20 (April 1993)

Darling, John D., *Delay of Game*, 26:2 at 5 (Spring, 2006)

Daus, Christopher J., and G. Steven Ruprecht, *The Pit and the Pendulum: Balancing the Equities in the Construction Bidding Process*, 10:3 at 3 (August 1990)

David, Allen N., and Deborah S. Griffin, *Unfair Inducement of Surety to Issue Bonds: An Expansion of the Surety's Salvage Option*, 5:1 at 1 (Spring 1984)

Davis, Paul E. and Allen Holt Gwyn, *Fifty-State Survey of Anti-Indemnity Statutes and Related Case Law*, 23:3 at 26 (Summer 2003)

Dean, Christine and Patricia H. Thompson, *Continued Erosion of the Economic Loss Rule in Construction Litigation by and Against Owners*, 25:4 at 36 (Fall 2005)

Dehmler, Michael F., and J. William Ernstrom, *Mutual Waiver of Consequential Damages: The Contractor's Perspective*, 18:1 at 4 (January 1998)

Dekker, David, Douglas Green and Stephen Palley, *The Expansion of Insurance Coverage for Defective Construction*, 28:4 at 19 (Fall 2008)

Delmore, Lawrence F., J. Kent Holland Jr., and Daniel E. Toomey, *Surety, Insurance, Construction and Hazardous Waste: A Toxic Mix?*, 14:1 at 31 (January 1994)

Dempsy Megan, Jonathon J. Dunn, and Jocelyn Knoll; *Letters of Credit in Construction Projects*; 29:1 at 33 (Winter 2009)

Deutsch, Brunswick G., and Ralph L. Kaskell, Jr., *Builders' Risk Insurance*, 9:2 at 8 (April 1989)

Devenny, Sean T. and Gregg Bundschuh; *Is the Line Blurring Between General and Professional Liability?*; 29:2 at 15 (Spring 2009)

Dibert, Nickolas J., *Architects as Arbiters*, 10:3 at 9 (August 1990)

DiNicola, John W. and John E. Bulman, *The Owner's Implied Obligations as They Apply to Scheduling*, 21:3 at 5 (Summer 2001)

Dobbs, Brian M., Keith J. Bergeron and L. Wearen Hughes, *Point/Counterpoint on Key Provisions of B101 (Standard Form of Agreement Between Owner and Architect): The Hot Button Issues and How They Have Changed*, 28:2 at 37 (Spring 2008)

Donner, Henry J., Stanley B. Edelstein, and Michael J. Gallagher, *Third Circuit Limits Construction Arbitration Rights*, 7:2 at 9 (April 1987)

Douglass, Dan, Brendan McCarthy, and Eric Nelson, *Delay Claims Against the Surety*, 17:3 at 4 (July 1997)

Dranoff, Brian S. and Alexander E. Barthel, *Payment Bond Payout: The Forty-Five-Day Countdown*, 25:1 (Winter 2005) 25:1 at 17 (Winter 2005)

Drewry, Christopher S. and **Robert J. Orelup**, *Judicial and Reformation of Noncompete Agreements*, 29:3 at 29 (Summer 2009)

Driscoll, Thomas J., Jon M. Wickwire, Stephen B. Hurlbut and Scott B. Hillman, *Construction Scheduling: Preparation, Liability and Claims, Second Edition*, 25:3 at 49 (Summer 2005)

Dunn, Christopher S., with Mary Jane Augustine, *Consequences of Ownership or Licensing of the Project Drawings – If You Pay for it, Do You Own It?* 28:3 at 35 (Summer 2008)

Dunn, Jonathon J., Jocelyn Knoll, and Megan Dempsy; *Letters of Credit in Construction Projects*; 29:1 at 33 (Winter 2009)

Dunn, Patrick L., and Hugh E. Reynolds Jr., *General Liability Coverage for Property Damage Due to a Contractor's Negligent Construction*, 13:3 at 1 (August 1993)

Dunne, Susan Sisskind, *'No Damage for Delay' Clauses*, 19:2 at 38 (April 1999)

Dunning, Beth A., and L. Wearen Hughes, *Considering the Self-Critical Analysis Privilege in Construction Litigation: Potential Protection of Investigations and Self-Evaluations*, 17:3 at 12 (July 1997)

-Holding On To What You Have Been Paid: Defending a Preference Action Against a Contractor, Subcontractor or Supplier, 16:1 at 15 (January 1996)

Dyer, Robert O., *Ethical Considerations to Multiple Representation in Construction and Surety Bond Litigation*, 17:2 at 14 (April 1997)

Eastman, Richard A., *The FIDIC Redbook Fourth Edition: Good News and Bad News*, 9:4 at 7 (November 1989)

Edelstein, Stanley B., Henry J. Donner, and Michael J. Gallagher, *Third Circuit Limits Construction Arbitration Rights*, 7:2 at 9 (April 1987)

Edwards, Benjamin R. and Harper R. Heckman, *Time is Money: Recovery of Liquidated Damages by the Owner*, 24:4 at 28 (Fall 2004)

Egan, M. Michael and Matthew M. Horowitz, *Practical Implications of Bankruptcy on the Parties' Rights in a Construction Contract*, 22:2 at 5 (Spring 2002)

Ellickson, Dale E., Mark McCallum, and Howard G. Goldberg, *The 1996 Editions of AIA Design/Build Standard Form Agreements*, 16:4 at 38 (October 1996)

Ellison, Margaret Bates, *Constitutionality of Colorado Statute of Limitations Upheld -- A Sequel*, 4:1 at 5 (Winter 1983)

-Statutory Termination of Perpetual Liability for Design and Construction Negligence, 2:2 at 1 (Fall 1981)

Elmore, L. Franklin, and John T. Crawford, Jr., *Defenses in Construction Defect Cases*, 23:2 at 27 (Spring 2003)

Erickson, David R., and Cathleen S. Bumb, *Lead-Based Paint Regulations: A New Concern?*, 18:4 at 21 (October 1998)

Ernstrom, J. William, and Karl S. Essler, *Beyond the Eichleay Formula: Resurrecting Home Office Overhead Claims*, 3:1 at 1 (Winter 1982)

-Mutual Waiver of Consequential Damages: The Contractor's Perspective, 18:1 at 4 (January 1998)

-Expanding Negligence Liability of Design Professional to Contractors, 8:1 at 11 (January 1988)

Essler, Karl S., and Ernstrom, J. William, *Beyond the Eichleay Formula: Resurrecting Home Office Overhead Claims*", 3:1 at 1 (Winter 1982)

Estes, J. Montieth, and Martha A. Connolly, *Avoiding Exposure to Environmental Liabilities: Concerns for Sureties*, 10:3 at 33 (August 1990)

Estis, Dennis A., E. Richard Kennedy, and John S. Vento, *Admissibility of Computer-Generated Evidence*, 14:3 at 1 (August 1994)

Evans, Donna M., and William M. Hill, *Pay When Paid Provisions: Still a Conundrum*, 18:2 at 16 (April 1998)

Evans Morris, Jennifer, Andrea L. Murdock, and Julia Luyster; *Where We Are Now With Women and Minority Business Enterprise Programs*; 26:2 at 40 (Spring 2009)

Ewing, Robert P., *Internet Research for the Surety Professional*, 19:2 at 19 (April 1999)

Eyth, Marcus, Richard McKim Preston, and Robert A. Crist, Jr., Ph.D., P.E.; *Joint Defense Agreements Between Owners and Design Professionals*; 29:2 at 35 (Spring 2009)

Farris, Denise E., *Checking Your Indefinite Delivery/Indefinite Quantity (IDIQ) IQ*, 22:4 at 24 (Fall 2002)

-*Alice in Preference Land: A Review of Affirmative Action in Public Contracts*, 21:4 at 28 (Fall 2001)

-*Legislative Update*, 20:4 at 37 (October 2000)

Fatemi, Kayhan M., and Matthew Lankenau, *A Practical Guide to Establishing or Avoiding False Claims Liability*, 24:1 at 5 (Winter 2004)

Fazio, Roy C. and James F. Killian, *Creating and Enforcing Teaming Agreements*, 25:2 at 5 (Spring 2005)

Feinman, Jay M., *Economic Negligence in Construction Litigation*, 15:3 at 34 (August 1995)

Fenn, Peter, Christopher Speck, and Michael O'Shea, *Witnesses of Opinion and the Use of Court Experts in the United Kingdom*, 15:4 at 30 (November 1995)

Filer, Edward L. and Tina M. Bird, and Stanley P. Sklar, *Implied Duties of Contractors: Wait a Minute, Where is That in My Contract?* 21:3 at 11 (Summer 2001)

Fisher, William B., and Daniel E. Toomey, *Is a Surety Obligated to Investigate Financing a Contractor Who Requests Financial Assistance?*, 12:4 at 11 (November 1992)

Fisk, David H., and R. Carson Fisk, *Comparative Contract Fault: Using the AIA Documents to Apportion Contract Damages*, 26:2 at 23 (Spring 2006)

Fisk, R. Carson, and David H. Fisk, *Comparative Contract Fault: Using the AIA Documents to Apportion Contract Damages*, 26:2 at 23 (Spring 2006)

Foley, Kevin F., *Should Expert Witnesses Be Permitted to Explain, Define, or Otherwise Interpret Building, Safety, and Other Codes and Regulations?*, 11:4 at 3 (October 1991)

Forsten, Richard A., *Delaware Joins in Rejecting the Economic Loss Rule in Construction Settings*, 11:2 at 7 (April 1991)

Foster, Linda B., *Point/Counterpoint: No Coverage Under the CGL Policy for Standard Construction Defect Claims*, 22:2 at 18 (Spring 2002)

Franklin, Charles W., *The "Minitrial": What It Is and What It Isn't: What It Can Do and What It Can't Do*, 4:4 at 1 (Fall 1983)

Franks, J. Michael, and Sam H. Poteet, Jr., *Entitlement to Contract Funds Among Competing Surety, Lender, Contractor and the Internal Revenue Service*, 9:4 at 11 (November 1989)

-*Prepetition Planning for Contract Sureties*, 15:3 at 41 (August 1995)

-*Specific Performance of the Indemnity Agreement*, 12:2 at 1 (April 1992)

Friedlander, Mark C., *Designer-Led Design-Build: Why It Works for Contractors*, 20:1 at 29 (January 2000)

-*A Primer on Industrial Design/Build Construction Contracts*, 14:2 at 3 (April 1994)

Friedman, George H., *Major Changes Coming to AAA Construction Arbitration*, 15:4 at 25 (November 1995)

Gaal, John, and Robert W. Kopp, *The Case for Project Labor Agreements*, 19:1 at 5 (January 1999)

Galganski, Terry J., *Owners and Contractors Protective Liability: An Insurance Tool in Construction*, 15:1 at 8 (January 1995)

Gallagher, Edward G., *Unpaid Subcontractor's or Supplier's Right to Payment out of Contract Funds*, 10:1 at 9 (January 1990)

Gallagher, Michael J., Henry J. Donner, and Stanley B. Edelstein, *Third Circuit Limits Construction Arbitration Rights*, 7:2 at 9 (April 1987)

Gardner, Thomas F., *Is the Design Architect or Engineer Liable for Sick Building Syndrome Damages?*, 11:4 at 30 (October 1991)

Gary, T. Bart, *Incorporation by Reference and Flow-Down Clauses*, 10:3 at 1 (August 1990)

Gatlin, Cheri Turnage, *Contractual Limitations on the Right to Recover Delay Damages and Judicial Enforcement of Those Limitations*, 22:4 at 32 (Fall 2002)

-*Claims for Lost Labor Productivity*, 20:2 at 21 (April 2000)

Gelinas, Julia Blackwell, *Recent Developments Under the Miller Act*, 16:1 at 53 (January 1996)

Geller, Paul J., *When the Walls Come Crumbling Down: A Call for ADR in the CIC*, 13:1 at 12 (January 1993)

George, Kory D., Joel K. Gerber, and Christopher D. Montez, *Legislative Update: The Kansas Fairness in Private Construction Contract Act and Other Legislation Regulating "Unfair" Provisions in Construction Contracts*, 26:3 at 33 (Summer 2006)

Gerber, Joel K., Kory D. George and Christopher D. Montez, *Legislative Update: The Kansas Fairness in Private Construction Contract Act and Other Legislation Regulating "Unfair" Provisions in Construction Contracts*, 26:3 at 33 (Summer 2006)

Gerhardt, Bruce R., *The Design Professional's Standard of Care After Kumho Tire: From the "Expert With an Opinion" to "Expert Opinion"*, 28:4 at 30 (Fall 2008)

The Context of the Evolution of Design and Electronic Tools, 28:3 at 19 (Summer 2008)

Gibson, Jack P., and W. Jeffrey Woodward, *The 2004 ISO Additional Insured Endorsement Revisions*, 25:3 at 5 (Summer 2005)

Glover, Ric D., Seth D. Lamden, and James D. Weier, *Preserving Consequential Damages Through Limited Waivers and Insurance Coverage*, 22:3 at 22 (Summer 2002)

Glucksman, Richard H., and Glenn T. Barger, *Managing Construction Defect Cases*, 16:3 at 7 (July 1996)

-*Additional Insured Endorsements: Their Vital Importance in Construction Defect Litigation*, 21:1 at 30 (Winter 2001)

Goldberg, Eugene H., *The Architect's Duty to Correct His Design During the Construction Phase and/or Warn of His Error*, 8:1 at 9 (January 1988)

-*Foundation Failures and Rehabilitations*, 3;4 at 1 (Fall 1982)

Goldberg, Howard G., Mark McCallum, and Dale E. Ellickson, *The 1996 Editions of AIA Design/Build Standard Form Agreements*, 16:4 at 38 (October 1996)

-*Construction Certification: A Trap for the Unwary Architect*, 6:2 at 1 (January 1986)

-*Reporting and Scheduling Under AIA Documents A201 and B141: The Architect's Viewpoint*, 15:2 at 3 (April 1995)

-*2007 Revisions to AIA Contract Documents*, 28:2 at 5 (Spring 2008)

Golden, Brian M., *Strict Liability Applied to the Homebuilder: A Defect in the Law of Defective Products*, 14:4 at 11 (October 1994)

Goldman, Marvin G., *New U.S. Trade Law: Impact on International Engineering and Construction Services*, 5:4 at 11 (April 1985)

Goldsmith, Mason A., Jr., and Neil S. Haldrup, *Design-Build in the Public Sector*, 18:4 at 38 (October 1998)

Gonzalez, Heber O., and G. William Quatman, *Right-to-Cure Laws Try to Cool Off Condo's Hottest Claims*, 27:3 at 13 (Summer 2007)

Gordan, Elias M., *Registering Your Client's Name on the Web*, 20:1 at 47 (January 2000)

-*A Concise Guide to Registering and Developing Your Client's Trademark*, 20:4 at 5 (October 2000)

Gorham, Anne, William Offutt, and John B. Miller, *Point/Counterpoint Exchange on the New Model Procurement Code*, 20:4 at 7 (October 2000)

Gorton, William T., *Replacing Nationwide Permit 26: The Next Battle over Wetlands Development*, 18:2 at 43 (April 1998)

de Graft, J. Cobbie, *Federal Rulemaking to Reform Affirmative Action*, 18:2 at 39 (April 1998)

Grandon, Rodney A., Michael J. Schaengold, and Robert S. Brams, *Best Value in Federal Construction Contracting*, 19:2 at 25 (April 1999)

Grant, Christopher L., *Bidding for \$430 Million of U.S. Embassy Construction Abroad*, 6:3 at 7 (April 1986)

-*A New Look at Design/Build*, 7:2 at 3 (April 1987)

Gray, Scott D. and Richard F. Smith, *Recovery of Project Overhead on Changed Work: A Significant Dilemma for Government Contractors*, 21:4 at 8 (Fall 2001)

Gray, Terry, *Point/Counterpoint: Default Insurance – An Alternative to Traditional Surety Bonds*, 22:1 at 17 (Winter 2002)

Green, Douglas, David Dekker and Stephen Palley, *The Expansion of Insurance Coverage for Defective Construction*, 28:4 at 19 (Fall 2008)

Greer, Scott A., *Punch List*, 23:1 at 8 (Winter 2003)

Griffin, Deborah S., and William F. Macauley, *General Contractor in Wonderland: Selected Problems in Reorganization Under the Bankruptcy Code – Parts I & II*, 4:3 at 1 (Summer 1983) and 4:4 at 3 (Fall 1983)

-*Post-Termination Bankruptcy Considerations for the Defaulted Contractor*, 17:1 at 24 (January 1997)

-*Unfair Inducement of Surety to Issue Bonds: An Expansion of the Surety's Salvage Option*, 5:1 at 1 (Spring 1984)

Groton, James P., and William R. Wildman, *The Role of Job-Site Dispute Resolution in Improving the Chances for Success on a Construction Project*, 12:3 at 1 (August 1992)

Guedel, W. Gregory, *Researching Contract Forms on the Internet*, 20:3 at 30 (July 2000)

Guidry, Renata A., *The Steel Price Explosion: What Is an Owner or a Contractor to Do?*, 24:3 at 5 (Summer 2004)

Gwyn, Allen Holt, and Paul E. Davis, *Fifty-State Survey of Anti-Indemnity Statutes and Related Case Law*, 23:3 at 26 (Summer 2003)

-*Comparison of the Major International Arbitration Rules*, 19:3 at 23 (July 1999)

-*Legislative and Judicial Responses to Limitation of Liability Provisions*, 16:4 at 61 (October 1996)

-*Brownfield Initiatives and Voluntary Cleanup Programs*, 16:2 at 34 (April 1996)

-*Contractor/Subcontractor Prompt Pay Acts -- Public and Private Projects*, 16:1 at 61 (January 1996)

-*The Bankruptcy Reform Act of 1994: A Codification of the Status Quo?*, 15:4 at 50 (November 1995)

-*Indoor Air Quality*, 14:2 at 29 (April 1994)

-*State Underground Storage Tank Cleanup Funds*, 13:2 at 31 (April 1993)

-*Statutes of Repose*, 12:4 at 36 (November 1992)

-*Anti-Indemnity Statutes*, 12:2 at 30 (April 1992)

-*Home Electric v. Star Paving Promissory Estoppel Debate: The Rules of Offer and Acceptance Have Not Been Abandoned*, 11:1 at 7 (January 1991)

Haldrup, Neil S., Jr., and Mason A. Goldsmith, *Design-Build in the Public Sector*, 18:4 at 38 (October 1998)

Halligan, Patrick D., *Minority Business Preferences and Ad Hoc Hypotheses: A Comment on Coral Construction v. King County*, 10:4 at 26 (November 1990)

Halls, Peter C., and Michael B. Lapicola, *[International] Resources on the Internet*, 19:3 at 19 (July 1999)

Halsey, Casey S., and William Quatman, *Design/Build Contracts: Valid or Invalid?*, 9:3 at 1 (August 1989)

Hamilton, David B., *Contract Administration: Specialties, Contracts under Seal, and Statutes of Limitations*, 11:1 at 19 (January 1991)

Hamilton, Kip, and Charles J. Herman, *Saving 'Real' Money When Investigating Trouble Contractors*, 13:2 at 18 (April 1993)

Hanson, Richard A., *Plant Design and Construction -- Saving Federal and State Taxes*, 10:4 at 3 (November 1990)

Harder, Patrick D., *Infrastructure Privatization in South Asia*, 15:2 at 34 (April 1995)

Harris, Alan E., Barry B. Bramble and Bridge K. Kaman, *Early Completion Schedules*, 23:4 at 34 (Fall 2003)

Harris, Jack W. and Allen L. Overcash, *Measuring the Contractor's Damages by "Actual Costs" -- Can It Be Done?* 25:1 at 31 (Winter 2005)

Harris, Larry D., Eric B. Kantor, and Kathleen M. McGeehin, *Recent Developments in the Spearin Doctrine: Federal and State*, 14:3 at 3 (August 1994)

-Advantages of the ConsensusDOCS Construction Contracts; 29:1 at 5
(Winter 2009)

Harris, Robert J., *Limitation of Liability Clauses: Allocating Risky Business*, 13:4 at 18 (October 1993)

Harris, Troy L. and John W. Hinchey, *International Construction Arbitration Handbook*, 28:4 at 43 (Fall 2008)

Hart, B. C., *General Contractor Damage Claims*, 5:4 at 3 (April 1985)

Hartnett, James J. IV, Patrick J. O'Connor Jr., and Philip L. Bruner, *The Surety's Response to the Obligor's Declaration of Default and Termination: 'To Perform or Not to Perform -- That is the Question'*, 17:1 at 3 (January 1997)

-*Construction Defect Claims Against Design Professionals and Contractors*, 23:2 at 15 (Spring 2003)

Harness, Suzanne H., Kenneth W. Cobleigh, Michael B. Bomba and Howard G. Goldberg, *2007 Revisions to AIA Contract Documents*, 28:2 at 5 (Spring 2008)

Hatem, David J., and Romeo G. Camba, *Attorney-Client Privilege, Work Product Doctrine, and In-House Counsel*, 19:4 at 22 (October 1999)

Hauser, Laura A., and William J. Tinsley, Jr., *Eyes Wide Open: Contractors Must Learn to Identify and React to Design Risks Assumed Under Performance Specifications*, 27:3 at 32 (Summer 2007)

Hawkins Patton, Lynn, and Cheri Turnage Gatlin, *Claims for Lost Labor Productivity*, 20:2 at 21 (April 2000)

Hays, John W., Harris, Marcy Ressler, Robert A. Rubin, and Kaoru Kashiwagi, *Construction Law and Practice in Japan*, 9:1 at 1 (January 1989)

-*Construction Defect Claims Against Design Professionals and Contractors*, 23:2 at 15 (Spring 2003)

Hayes, John C., Jr., *The Blacklisting Threat and the Surety's Response*, 4:1 at 1 (Winter 1983)

Heart, Bennett and Christopher L. Noble, *The AIA's New Digital Data Documents*, 28:2 at 12 (Spring 2008)

Hecker, Bill, and Eric A. Berg, *Accessibility Laws – An Ounce of Prevention is Worth a Pound of Cure*, 28:1 at 5 (Winter 2008)

Heckman, R. Harper, and Benjamin R. Edwards, *Time is Money: Recovery of Liquidated Damages by the Owner*, 24:4 at 28 (Fall 2004)

-*Drafting the "Perfect" One-Year Warranty*, 27:3 at 5 (Summer 2007)

Heley, Mark J., and Mark A. Bloomquist, *The Design Professional's Role in Termination of the Contractor*, 17:2 at 3 (April 1997)

-Internet Resources for Lawyers Who Represent Design Professionals, 20:1 at 12 (January 2000)

Henderson, Douglas A., and Thomas J. Stipanowich, *Settling Construction Disputes by Mediation, Mini-Trial and Other Processes -- The ABA Forum Survey*, 12:2 at 6 (April 1992)

Hendrick, David R., John I. Spangler III, and Robert B. Wedge, *Battling For the Bucks: The Great Contingency Payment Clause Debate*, 16:3 at 12 (July 1996)

-Definition and Certification of 'Claims' on Federal Public Works under the Contract Disputes Act: Smoothing Out the Rocky Road to Recovery, 13:2 at 1 (April 1993)

Hendrick, James T., and James A. Riddle, *Commercial General Liability and Commercial Property Insurance for Contractors*, 7:2 at 5 (April 1987)

Herman, Charles J., and Kip Hamilton, *Saving 'Real' Money When Investigating Trouble Contractors*, 13:2 at 18 (April 1993)

Hertz, Michelle D., and Stephen B. Shapiro, *Recovery of Attorney's Fees in Federal and State Construction Cases*, 19:3 at 37 (July 1999)

Heusinger, Joel D., *Practical Concerns in Prosecuting Pass-Through Claims*, 25:2 at 26 (Spring 2005)

Hilkowitz, Steven B., *Contractors on the Battlefield: An Overview of Federal Contracting Issues*, 26:1 at 20 (Winter 2006)

Hill, William M., and John I. Spangler, III, *The Evolving Liabilities of Construction Managers*, 19:1 at 30 (January 1999)

Hillman, Scott B., Thomas J. Driscoll, Jon M. Wickwire and Stephen B. Hurlbut, *Construction Scheduling: Preparation, Liability and Claims, Second Edition*, 25:3 at 49 (Summer 2005)

Hinchey, John W., Troy L. Harris, *International Construction Arbitration Handbook*, 28:4 at 43 (Fall 2008)

Luther P. House Jr., and Brian G. Corgan, *Do We Need Special ADR Rules for Complex Construction Cases?*, 11:3 at 1 (August 1991)

- *Anticipating and Managing Projects: Changes to Law*, 26:4 at 26 (Fall 2006)

-*Karl Marx and Design-Build*, 21:1 at 46 (Winter 2001)

Hinkle, Buckner Jr., and Robert G. Taylor, *How to use ADR Clauses with Standard Form Construction Industry Contracts*, 15:2 at 42 (April 1995)

-*The Payment Process Under A201*, 16:1 at 25 (January 1996)

Holland, J. Kent Jr., Lawrence F. Delmore, and Daniel E. Toomey, *Surety, Insurance, Construction and Hazardous Waste: A Toxic Mix?*, 14:1 at 31 (January 1994)

Holt, L. Tyrone, *AIA Electronic Forms – “New” Version 3.0 – The Good, The Bad, and The Ugly*, 21:3 at 46 (Summer 2001)

Holzman, Ruth N., *New Tax Incentives for “Green” Buildings Have Owners Seeing Green*, 27:3 at 24 (Summer 2007)

Horan, John P., *Preparing the Client For Mediation*, 16:3 at 38 (July 1996)

Horowitz, Matthew M., and M. Michael Egan, *Practical Implications of Bankruptcy on the Parties’ Rights in a Construction Contract*, 22:2 at 5 (Spring 2002)

House, Luther P., Jr., John W. Hinchey, and Brian G. Corgan, *Do We Need Special ADR Rules for Complex Construction Cases?*, 11:3 at 1 (August 1991)

-*The Economic Loss Rule: A Fair Balancing of Interests*, 11:2 at 1 (April 1991)

Howard, Geoffrey, and Stephen Zovickian, *Electronic Discovery in Construction Litigation*, 18:3 at 8 (July 1998)

Hudock, David A., and Tarek F. Abdalla, *Liability Issues in Multiprime Contracting: The Duty to Coordinate and Direct Liability for Delay*, 18:1 at 31 (January 1998)

Hurlbut, Stephen B., Thomas J. Driscoll, Jon M. Wickwire, and Scott B. Hillman, *Construction Scheduling: Preparation, Liability and Claims, Second Edition*, 25:3 at 49 (Summer 2005)

Hughes, Francis J., and William K. Hurley, *Home Electric/Hall versus Drennan/Star Paving: Mutuality is No Substitute for Equity*, 10:3 at 25 (August 1990)

-*Statutes Permitting Recovery of Attorney’s Fees in Construction Cases*, 17:4 at 33 (October 1997)

Hughes, L. Wearen, Keith J. Bergeron and Brian M. Dobbs, *Point/Counterpoint on Key Provisions of B101 (Standard Form of Agreement Between Owner and Architect): The Hot Button Issues and How They Have Changed*, 28:2 at 37 (Spring 2008)

- and Beth A. Dunning, *Considering the Self-Critical Analysis Privilege in Construction Litigation: Potential Protection of Investigations and Self-Evaluations*, 17:3 at 12 (July 1997)

Hull, Frank M., and Michael L. Chapman, *An Overview of the Liability of the Contractor’s Accountant to Third Parties in the Construction Industry*, 4:2 at 1 (Spring 1983)

Hurley, William K., and Francis J. Hughes, *Home Electric/Hall versus Drennan/Star Paving: Mutuality is No Substitute for Equity*, 10:3 at 25 (August 1990)

Hurtado, Kimberley A. and Howard W. Ashcraft; *Developing Meaningful Contract Terms for Electronic Communications on Construction Projects*; 29:2 at 5 (Spring 2009)

Iannone, Amy Hobbs, Kimberly S. Bunting, and Sandy M. Kaplan, *OCIPs, CCIPs, and Project Policies*, 29:3 at 11 (Summer 2009)

Icard, Thomas F., Jr., and Wm. Cary Wright, *Sick Building Syndrome and Building-Related Illness Claims: Defining the Practical and Legal Issues*, 14:4 at 1 (October 1994)

Ingwalson, Carl F. and Paul M. Lurie, *Arbitration and the Unauthorized Practice of Law*, 27:1 at 14 (Winter 2007)

Ingwalson, Carl F., Jr., and Carl A. Calvert, *Pass Through Claims and Liquidation Agreements*, 18:4 at 29 (October 1998)

Iqbal, Mohammad, *Researching the Internet: Ethics and Rules of Conduct Governing Professionals*, 21:1 at 37 (Winter 2001)

Jerles, Jeanette E., and Thomas J. Casamassima, *Defining Insurable Risk in the Commercial General Liability Insurance Policy: Guidelines for Interpreting the Work Product Exclusion*, 12:1 at 3 (January 1992)

Johansen, Gregory J., Rory C. Ryan and Leslie King O'Neal, *Sick Building Claims*, 20:1 at 16 (January 2000)

Jones, Glower W., *Awarding Punitive Damages by Arbitration*, 7:3 at 1 (August 1987)

Jones, Reginald M., *Update on Proving and Pricing Inefficiency Claims*, 23:3 at 19 (Summer 2003)

Joyce, William R., and Patrick J. O'Connor, *Curtain Wall Failures*, 20:1 at 22 (January 2000)

Jun Jin, S. and Stephen D. Knight, *Compliance Problems for American Contractors*, 24:2 at 5 (Spring 2004)

Kalleres, Arthur P., *Suggestions for Limiting the A/E's Exposure to the Surety and Others in Court and by Contract*, 3:3 at 1 (Summer 1982)

Kaman, Bridge K., Barry B. Bramble, and Alan E. Harris, *Early Completion Schedules*, 23:4 at 34 (Fall 2003)

Kantor, Eric B., Larry D. Harris, and Kathleen M. McGeehin, *Recent Developments in the Spearin Doctrine: Federal and State*, 14:3 at 3 (August 1994)

Kanzler, Christopher L., and W. Dudley McCarter, *The Effect of a Disputes Clause and Pay-If-Paid Provisions on Miller Act Claims and the Types of Damages Recoverable Under the Act*, 21:3 at 28 (Summer 2001)

Kaplan, Sandy M., and Kimberly S. Bunting, and Amy Hobbs Inannone *OCIPs, CCIPs, and Project Policies*, 29:3 at 11 (Summer 2009)

Karge, Stewart W., *Admiralty Law's Application to Construction Contracts Can Affect Contractors' Rights and Remedies*, 16:2 at 3 (April 1996)

-*Architect-Engineers Damages: The Added First Benefit Theory*, 9:4 at 1 (November 1989)

Kashiwagi, Kaoru, Robert A. Rubin, and Marcy Ressler Harris, *Construction Law and Practice in Japan*, 9:1 at 1 (January 1989)

Kaskell, Ralph L., Jr., *The Bidding Process*, 1:4 at 1 (Spring 1981)

-*Builders' Risk Insurance*, 9:2 at 8 (April 1989)

-*The Genesis of the ABA Forum Committee on the Construction Industry*, 8:1 at 15 (January 1988)

-*A Post Mortem of a Post Mortem: The Hyatt Collapse -- A Post Mortem*, 12:1 at 9 (January 1992)

Katsantonis, Vivian, Robert G. Watt, and Christopher J. Brasco, *The Surety's Procedures for Preserving and Defending Its Rights Following a Default Termination*, 22:1 at 10 (Winter 2002)

Kay, Lawrence H., and Mike A. Cable, *Researching Employment and Labor Law on the Internet*, 19:1 at 19 (January 1999)

Keating, Geoffrey T. and Thomas F. Burke, *Cumulative Impact Claims: Can They Still Succeed?*, 20:2 at 30 (April 2000)

Kennedy, E. Richard, Dennis A. Estis, and John S. Vento, *Admissibility of Computer-Generated Evidence*, 14:3 at 1 (August 1994)

Killian, James F. and Roy C. Fazio, *Creating and Enforcing Teaming Agreements*, 25:2 at 5 (Spring 2005)

King, Bruce C. and Carol J. Patterson, *Representation of Multiple Parties in the Construction Arena: Ethical Issues*, 25:4 at 5 (Fall, 2005)

King, Bruce Charles, *Notice Provisions in Payment and Performance Bonds: What Effect Does Noncompliance Have on the Surety's Liability?*, 5:2 at 7 (Summer 1984)

King, John A., and Robert M. Wright, *Design Professional Liability: Applicability of the A.I.A. Contractual Limits on the Operation of the Statute of Limitations to Members of the Design Team Not in Privity with the Owner*, 15:4 at 43 (November 1995)

Kinzer, Michael J., and Dean B. Thomson *Best Value in State Construction Contracting*, 19:2 at 31 (April 1999)

Kirksey, Gerald B., *Minimum Decencies -- A Proposed Resolution of The 'Pay-When-Paid'/'Pay-If-Paid' Dichotomy*, 12:1 at 1 (January 1992)

-*MoneyMoneyMoney: Legal and Ethical Dilemmas in the Construction Payment Process*, 16:1 at 3 (January 1996)

-*The 'Pay-When-Paid'/'Pay-If-Paid' Dichotomy and the Florida Trilogy -- Bright Line or Murky Fog?*, 11:4 at 8 (October 1991)

-*Protecting the Contractor's Expectation Interest After the Owner's Substantial Breach*, 6:1 at 1 (October 1985)

Kirsch, Laurence S., and Rebecca E. Rapp, *Mold: An Evolving Issue in Design and Construction Defect Litigation*, 23:2 at 5 (Spring 2003)

Kirwan, Brian P., and Joseph H. Bucci, *Double Breasting in the Construction Industry*, 10:1 at 1 (January 1990)

Knight, Stephen D. and S. Jun Jin, *Problems for American Contractors*, 24:2 at 5 (Spring 2004)

Knoll, Jocelyn, Jonathon J. Dunn, and Megan Dempsy; *Letters of Credit in Construction Projects*; 29:1 at 33 (Winter 2009)

Knox, James A., *What Constitutes a Default Sufficient to Justify Termination of the Contract: The Surety's Perspective*, 2:1 at 1 (Summer 1981)

-*When Designs Don't Work: Professional Liability Coverage of Architects and Engineers*, 15:1 at 17 (January 1995)

- *Quid without Quo: The Surety's Overpayment Defense*, 13:4 at 3 (October 1993)

Kopp, Jay A., and Mark J. Heley, *Internet Resources for Lawyers Who Represent Design Professionals*, 20:1 at 12 (January 2000)

Kopp, Robert W., and John Gaal, *The Case for Project Labor Agreements*, 19:1 at 5 (January 1999)

Korzun, Timothy J., and J. Charles Sheak, *Liquidated Damages and the Surety: Are They Defensible?*, 9:2 at 19 (April 1989)

-*Old Game, New Rules: A Brief Guide to 1987 Changes in the A.I.A. A201, General Conditions of the Contract for Construction*, 8:3 at 3 (August 1988)

Kosar, William E., *The Canada-U.S. Free Trade Agreement and the Construction Industry*, 11:2 at 12 (April 1991)

Kovars, Joseph C., and Michael A. Schollaert, *Truth and Consequences: Withdrawn Bids and Legal Remedies*, 26:3 at 5 (Summer 2006)

Kovars, Joseph C., and Jay Bernstein, *When the Shoes Don't Fit: Defenses of the Principal That Are Unavailable to the Surety* 29:3 at 24 (Summer 2009)

Kowalski, Kathiann M., *Environmental Laws Affecting the Construction Industry: A Primer*, 14:1 at 1 (January 1994)

-How to Avoid Being Bogged Down in Wetlands Regulation: Some Practical Suggestions for the Developer, 13:3 at 3 (August 1993)

Kraft, John L., *Low Cost Tax Exempt Financing of Construction Projects Through Use of Industrial Development Bonds*, 2:2 at 3 (Fall 1981)

Kreindler, Richard H., *Court Intervention in Commercial and Construction Arbitration: Approaches in the U.S. and Europe*, 13:4 at 12 (October 1993)

Kubes, Kristine A., *The Design Professional's Project Self-Certification: A Key to Efficiency or Liability?* 26:4 at 5 (Fall 2006)

Kubik, Brooks D., and David Ratterman, *The ADA and Construction Employers*, 19:1 at 22 (January 1999)

Kunz, Kimberly A., *Counsel's Role in Negotiating a Successful Construction Partnering Agreement*, 15:4 at 19 (November 1995)

Kutil, Peter M., and Andrew D. Ness, *Concurrent Delay: The Challenge to Unravel Competing Causes of Delay*, 17:4 at 18 (October 1997)

Lahey, Matthew D., Henry W. Sledz, Jr., and Thurston C. Bailey, *Responding to Picketing at the Work Site*, 28:4 at 5 (Fall 2008)

Lambe, Richard L., *Life Among the Ruins -- Pursuit of Claims by a Takeover Surety*, 7:3 at 5 (August 1987)

Lambeck, Debra Tilson, and Mark B. Chassman, *Termination for Convenience - Costs Recoverable*, 7:3 at 3 (August 1987)

Lamden, Seth D. and James D. Weier, and Ric D. Glover, *Preserving Consequential Damages Through Limited Waivers and Insurance Coverage*, 22:3 at 22 (Summer 2002)

Lange, Lori Ann, *Transportation Equity Act for the Twenty-First Century*, 18:3 at 33 (July 1998)

-Litigating with the Federal Government, 20:4 at 24 (October 2000)

Lankenau, Matthew and Kayhan M. Fatemi, *A Practical Guide to Establishing or Avoiding False Claims Liability*, 24:1 at 5 (Winter 2004)

Lapicola, Michael B., and Peter C. Halls *[International] Resources on the Internet*, 19:3 at 19 (July 1999)

Lare, Gregory B., Richard H. Lowe and Barba M. Evans, *View From Across the Pond: An American Perspective on the Society of Construction Law's Delay and Disruption Protocol*, 27:1 at 5 (Winter 2007)

Lavers, Anthony, and Paul Bick, *Construction Industry Reform in the United Kingdom*, 15:4 at 35 (November 1995)

Lawrence, Laird E., and Bonnie Lee Daniel, *Construction Warranties in Texas*, 13:2 at 20 (April 1993)

Lawrence, Mark, and Steven M. Siegfried *Home Electric v. Hall & Underdown Heating & Air Conditioning: Mutuality Remains the Only Solution to the Construction Bidding Problem*, 9:4 at 3 (November 1989)

Leach, Donald B., Jr., David P. Dapper, and Mary J. McElroy, *Design and Construction Form Documents*, 11:1 at 3 (January 1991)

Leaderman, Arthur I., and Richard F. Smith, *Dobson v. Rutgers: A Roll of the Dice for Multi-Prime Contractors*, 5:1 at 3 (Spring 1984)

- *The Spearin Doctrine: It Isn't What It Used to Be*, 16:4 at 46 (October 1996)

Leo, T. Scott, and George W. Thomas, *Application of Statutes of Limitation Governing Construction Activity to Construction Bond Sureties*, 10:1 at 3 (January 1990)

Lesser, Steven B., *Economic Loss Doctrine and Its Impact Upon Construction Claims*, 14:3 at 21 (August 1994)

- *The Twelve Deadly Sins: An Owner's Guide to Avoiding Liability for Implied Obligations During the Construction of a Project*, 28:1 at 15 (Winter 2008) (with Daniel L. Wallach)

- *Risky Business: the "Active Interference" Exception to No-Damage-for-Delay Clauses*, 23:1 at 26 (Winter 2003)

- *I Have Fallen and I Can't Get Up: The Inadvertent Waiver of Mandatory Construction Arbitration Clauses*, 17:4 at 36 (October 1997)

Levin, Kenneth I., and Robert F. Cushman *The Contractor's Rights against the Design Professional*, 6:2 at 7 (January 1986)

Levin, Theodore, D., and Matthew L. Marshall, *Copyright Protection by Design: The B141 Document*, 21:2 at 30 (Spring 2001)

Lewis, Jacqueline T., J. Michael Franks, and John H. Rowland, *Prepetition Planning for Contract Sureties*, 15:3 at 41 (August 1995)

Librizzi, Thomas G., and David E. Rosengren, *Bid Protests: Substance and Procedure on Publicly Funded Construction Projects*, 7:1 at 1 (January 1987)

Lichtig, William A., *The Integrated Agreement for Lean Project Delivery*, 26:3 at 25 (Summer 2006)

Long, Michael G., *Waiver of the Contract Completion Date in Government Contracts*, 12:2 at 3 (April 1992)

Lord, James M., *Five Things Every Attorney Should Consider Before Approving Construction Contracts for Owners, Developers or Lenders*", 7:1 at 5 (January 1987)

Lowe, Richard H., Evans M. Barba and Gregory B. Lare, *View From Across the Pond: An American Perspective on the Society of Construction Law's Delay and Disruption Protocol*, 27:1 at 5 (Winter 2007)

- and Jason M. Muncey; *Consensus DOCS 301 BIM Addendum*; 29:1 at 17 (Winter 2009)

Lowe, Richard H., and Elise H. Walthall, *When Architects Withhold Certificates of Substantial Completion, and Other Problems*, 19:4 at 5 (October 1999)

Lurie, Paul M. and Carl F. Ingwolson, *Arbitration and the Unauthorized Practice of Law*, 21:1 at 14 (Winter 2007)

Lurie, Paul M., and Mark R. Becker, *Kumho Tire and Judicial Scrutiny of Expert Testimony by Engineers*, 20:3 at 37 (July 2000)

-*The Practice of Architecture and Engineering by Limited Liability Entities Across State Lines*, 24:1 at 24 (Winter 2004)

-*Factors Influencing a Successful Mediation*, 22:3 at 18 (Summer 2002)

-*Responsibility for Computer-Aided Defects: CAD in the Construction Industry*, 21:4 at 23 (Fall 2001)

Luschei, Erich R., and Daniel D. McMillan, *Prequalification of Contractors by State and Local Agencies: Legal Standards and Procedural Traps*, 27:2 at 21 (Spring 2007)

Luyster, Julia, Andrea L. Murdock, and Jennifer Evans Morris; *Where We Are Now With Women and Minority Business Enterprise Programs*; 26:2 at 40 (Spring 2009)

Lyon, V. Frederic, and Douglas W. Ackerman, *Controlling Disputes by Controlling the Forum: Forum Selection Clauses in Construction Contracts*, 22:4 at 15 (Fall 2002)

Macauley, William F., and Deborah S. Griffin, *General Contractor in Wonderland: Selected Problems in Reorganization Under the Bankruptcy Code – Parts I & II*, 4:3 at 1 (Summer 1983) and 4:4 at 3 (Fall 1983)

MacPherson, Robert J., Richard F. Smith, and Dean B. Thomson, *Dysfunctional ADR: Tips to Avoid the Pain*, 16:4 at 26 (October 1996)

McCarter, W. Dudley and Christopher L. Kanzler, *The Effect of a Disputes Clause and Pay-If-Paid Provisions on Miller Act Claims and the Types of Damages Recoverable Under the Act*, 21:3 at 28 (Summer 2001)

McCallum, Mark, Howard G. Goldberg, and Dale E. Ellickson, *The 1996 Editions of AIA Design/Build Standard Form Agreements*, 16:4 at 38 (October 1996)

McCarthy, Brendan, Dan Douglass, and Eric Nelson, *Delay Claims Against the Surety*, 17:3 at 4 (July 1997)

McCauley, David P., *Employing Foreign Workers in the U.S. Construction Industry: Possibilities, Pitfalls, and Lessons Learned*, 27:4 at 17 (Fall 2007)

McCurnin, Thomas, *Two-Party Arbitrations in a Multiple-Party World*, 26:1 at 5 (Winter 2006)

McDonald, John E., *Common Law Liability of Architects and Engineers for Negligence to Non-Contractual Parties*, 9:2 at 5 (April 1989)

McElroy, Mary J., David P. Dapper, and Donald B. Leach, Jr., *Design and Construction Form Documents*, 11:1 at 3 (January 1991)

McFadden, Angus N. and James F. Butler, III, and Angus N. McFadden, *Discovery of Electronic Information in Construction: Spoliation in the Electronic Era*, 23:3 at 5 (Summer 2003)

McGeekin, Kathleen M., Larry D. Harris, and Eric B. Kantor, *Recent Developments in the Spearin Doctrine: Federal and State*, 14:3 at 3 (August 1994)

McGill, John G., *Bonds and Arbitration*, 14:2 at 18 (April 1994)

-*Liens and Arbitration*, 13:2 at 3 (April 1993)

-*Mechanic's Liens Filing Requirements State-by-State Compilation*, 2:2 at 35 (Fall 1981) and 3:1 at 10 (Winter 1982)

McKim Preston, Richard, Robert A. Crist, Jr., Ph.D., P.E., and Marcus Eyth; *Joint Defense Agreements Between Owners and Design Professionals*; 29:2 at 35 (Spring 2009)

McMillan, Daniel D. and Erich R. Luschei, *Prequalification of Contractors by State and Local Agencies: Legal Standards and Procedural Traps*, 27:2 at 21 (Spring 2007)

- and Robert A. Rubin, *Dispute Review Boards: Key Issues, Recent Case Law, and Standard Agreements*, 25:2 at 14 (Spring 2005)

McReynolds, Larry S., and Michael Welch, *Res Judicata and Collateral Estoppel: New Defenses in Construction Litigation?*, 5:3 at 5 (January 1985)

Manne, Robert J., *Condominium Construction Litigation*, 3:1 at 3 (Winter 1982)

Marcus, George J., *Rights and Remedies of the Subcontractor Material Furnisher Upon Bankruptcy of Contractor*, 5:2 at 3 (Summer 1984)

Marre, Daniel G.M., and Alexandra R. Cole, *Comparative View of Laws Governing Condominium-Type Projects*, 19:3 at 15 (July 1999)

Marshall, Brooks P., *An Introduction to Researching Environmental Law on the Internet*, 18:4 at 18 (October 1998)

Marshall, Matthew L., and Theodore D. Levin, *Copyright Protection by Design: The B141 Document*, 21:2 at 30 (Spring 2001)

Martell, Ronald E., and Daniel Q. Poretti, *Using Experts to 'Prove Up' Your Construction Case*, 8:2 at 11 (April 1988)

Massahos, Debera, and Frank Hughes, *Statutes Permitting Recovery of Attorney's Fees in Construction Cases*, 17:4 at 33 (October 1997)

Maute, Judith L., and Gerald B. Kirksey, *MoneyMoneyMoney: Legal and Ethical Dilemmas in the Construction Payment Process*, 16:1 at 3 (January 1996)

Meagher, Anthony L., *Authenticity of Computer-Generated Evidence on a 'Paperless' Project*, 18:3 at 4 (July 1998)

- *Who is Going to Pay for My Impact? A Contractor's Ability to Sue Third Parties for Purely Economic Loss*, 25:4 at 27 (Fall 2005)

Meeker, Charles A., *Surety's Right to Specific Performance of Indemnity Agreements*, 3:2 (Spring 1982)

Melton, Lawrence C., and Brian A. Autry, *Beyond His Power to Build It: Who Is to Blame for the Overbudget Project?* 25:1 at 20 (Winter 2005)

Melton, Lawrence C., *What We Teach When We Teach Construction Law* 29:3 at 8 (Summer 2009)

Menzel, Kenneth E., and Steve M. Pharr, *Thinking About the Unthinkable: Landowner and Design Professional Liability for September 11-Style Attacks*, 26:2 at 10 (Spring 2006)

Mercier, James J., *Little Miller Acts: Liability of Public Owners for Failure to Obtain Payment Bonds on Public Construction Projects*, 14:4 at 7 (October 1994)

Meyer, Howard L., *How to Avoid Kalisch-Jarcho and the Solution of Eichleay and Berley*, 5:1 at 17 (Spring 1984)

Meyers, Robert L., III, and Michael F. Albers, *The Contractor in Bankruptcy -- Protecting the Interests of the Owner*, 5:2 at 1 (Summer 1984)

Michael, Kenneth R., *Design Professional Liability: A Balanced Framework for Third-Party Actions by Tenants and Users*, 14:3 at 8 (August 1994)

Miller, Dr. John B., William Offutt, and Anne Gorham, *Point/Counterpoint Exchange on the New Model Procurement Code*, 20:4 at 7 (October 2000)

- *Effective Corporate Records Retention in the Construction Industry*, 28:1 at 22 (Winter 2008) (with Scott C. Ryan)

Mills, E. A. "Seth", Jr., and Jeffrey M. Paskert, *What Lies Behind the Doebr? A Review of the Constitutionality of Mechanics' Lien Laws*, 14:4 at 3 (October 1994)

Missling, Timothy J., *Effect of a Subsequent Bankruptcy on Construction Project Payments Issue: Is a Payment Made by a General Contractor to Its Subcontractor or Supplier, before Going into Bankruptcy, Avoidable as a Preferential Transfer?*, 11:1 at 10 (January 1991)

Moelmann, Lawrence R., and Kevin W. Bruning, *The Federal Tax Levy: Does It Really Deprive the Owner and the Surety of Their Rights to Contract Balances?*, 16:1 at 33 (January 1996)

-*The Exposure of the Surety and Insurance Carrier to Mold Claims*, 24:2 at 19 (Spring 2004)

Montez, Christopher D., Kory D. George and Joel K. Gerber, *Legislative Update: The Kansas Fairness in Private Construction Contract Act and Other Legislation Regulating "Unfair" Provisions in Construction Contracts*, 26:3 at 33 (Summer 2006)

Moseley, W. Alexander and Lynn R. Axelroth, *Owners' and Contractors' Commentaries on Problem Profusions*, 28:2 at 26 (Spring 2008)

-*What Do You Mean I Can't Get That? Discovery in Arbitration Proceedings*, 26:4 at 18 (Fall 2006)

Mourey, Lynn A., *Prehire Agreements: Do the Deklewa Rules Effectuate Labor Policy?*, 11:1 at 21 (January 1991)

Mulvaney, James M., *Contractors' Remedies: Owners' Representations and Warranties*, 4:2 at 9 (Spring 1983)

-*Contractor's Rights Against Mortgage Lenders*, 2:2 at 25 (Fall 1981)

Muncey, Jason M. and Richard H. Lowe; *Consensus DOCS 301 BIM Addendum*; 29:1 at 17 (Winter 2009)

Murdock, Andrea L., Jennifer Evans Morris, and Julia Luyster; *Where We Are Now With Women and Minority Business Enterprise Programs*; 26:2 at 40 (Spring 2009)

Myers, James J., *International Construction Dispute Resolutions and New Alternatives*, 6:3 at 1 (April 1986)

Nagle, James F.; *A Primer on Prime-Subcontractor Disputes Under Federal Contracts*; 29:1 at 39 (Winter 2009)

- *An Essay About Lawyers Serving as Expert Witnesses*; 29:2 at 24 (Spring 2009)

Nahmias, Adam M., *The Enforceability of Contract Clauses Giving One Party the Unilateral Right to Choose Between Arbitration and Litigation*, 21:3 at 36 (Summer 2001)

-Delay Damages and the Miller Act Payment Bond Surety, 19:1 at 36
(January 1999)

Nelson, Eric, Dan Douglass, and Brendan McCarthy, *Delay Claims Against the Surety*, 17:3 at 4 (July 1997)

Ness, Andrew D., and Peter M. Kutil *Concurrent Delay: The Challenge to Unravel Competing Causes of Delay*, 17:4 at 18 (October 1997)

-Closing Arguments: The Law and Practical Considerations, 24:3 at 29
(Summer 2004)

-Arbitration Developments: Defects and Solutions, 22:3 at 10 (Summer 2002)

-An Introduction to Basic Federal Environmental Statutes, 18:4 at 5
(October 1998)

-Moses Cone Hospital v. Mercury Construction and the Enforcement of Construction Contract Arbitration Clauses, 4:2 at 3 (Spring 1983)

Nielsen, Jennifer A., *Payment Provisions: Form Contract Approaches and Alternative Perspectives*, 24:4 at 33 (Fall 2004)

Noble, Christopher L. and Bennet Heart, *2007 Revisions to AIA Contract Documents*, 28:2 at 5 (Spring 2008)

-Program Management: the Design Professional's Perspective, 16:4 at 5
(October 1996)

-The Design-Builder-A/E Contract: A Comparison of Standard Forms,
21:1 at 5 (Winter 2001)

Norton, Albert L., Jr., *Postaward, Prejudgment Interest on Arbitration Awards*, 10:3 at 21
(August 1990)

Nuechterlein, Michael F., and Brian F. Stayton, *An Owner's Implied Duty to Coordinate*, 21:3
at 22 (Summer 2001)

O'Brien, Timothy M., *Successfully Navigating Your Way Through the Electronically Managed Project*, 28:3 at 25 (Summer 2008)

O'Connor, James Duffy, *Construction Defects: "Property Damage" and the Commercial General Liability Policy*, 24:2 at 11 (Spring 2004)

-What Every Construction Lawyer Should Know About CGL Coverage for Defective Construction, 21:1 at 22 (Winter 2001)

-On Platypuses and Program Management, 16:4 at 11 (October 1996)

O'Connor, Patrick J., Jr., *Commercial General Liability Coverage*, 19:2 at 5 (April 1999)

-*Allocating Risks of Terrorism and Pandemic Pestilence: Force Majeure for an Unfriendly World*, 23:4 at 5 (Fall 2003)

-*Curtain Wall Failures*, 20:1 at 22 (January 2000)

-*Warranties, Guarantees, and Correction Remedies Under the AIA Document A201 (1997)*, 18:1 at 19 (January 1998)

-*The Surety's Response to the Obligee's Declaration of Default and Termination: 'To Perform or Not to Perform -- That is the Question'*, 17:1 at 3 (January 1997)

Ockman, Stuart, and Jon M. Wickwire, *Use of Critical Path Method on Contract Claims -- 2000*, 19:4 at 12 (October 1999)

O'Day, Michael P., and Anthony L. Meagher, *-Who is Going to Pay for My Impact? A Contractor's Ability to Sue Third Parties for Purely Economic Loss*, 25:4 at 27 (Fall 2005)

Offutt, William, Anne Gorham, and John B. Miller, *Point/Counterpoint Exchange on the New Model Procurement Code*, 20:4 at 7 (October 2000)

O'Leary, Howard E., and Krista Pages, *Handling Criminal False Claims Act Cases*, 28:1 at 27 (Winter 2008)

Oles, Douglas S., *How Much Are the Damages*, 18:2 at 3 (April 1998)

-*Reform Ideas from Past Forum Chairs*, 20:3 at 47 (July 2000)

-*The Inexact Science of Delay Analysis*, 17:4 at 3 (October 1997)

-*Remedies for Nonpayment in Four Standard Construction Contracts*, 16:2 at 20 (April 1996)

Olson, David C., and Jeffrey S. Rosenstiel, *Predicting When Construction Contracts Are Subject to Article 2 of the UCC*, 21:1 at 22 (Winter 2001)

O'Meara, Shamus, and Jerome V. Bales and Mark R. Azman, *The "Betterment" or Added Benefit Defense*, 26:2 at 14 (Spring 2006)

O'Neal, Leslie King, and Thomas J. Stipanowich, *Charting the Course: The 1994 Construction Industry Survey on Dispute Avoidance and Resolution -- Part 1*, 15:4 at 5 (November 1995)

-*Sick Building Claims*, 20:1 at 16 (January 2000)

-*They're Back: Letters of Credit Provided in Lieu of Surety Bonds*, 13:1 at 3 (January 1993)

-*Warranties in Construction*, 6:2 at 3 (January 1986)

-*Consulting Confusion*, 5:1 at 11 (Spring 1984)

O'Shea, Michael, Peter Fenn, and Christopher Speck, *Witnesses of Opinion and the Use of Court Experts in the United Kingdom*, 15:4 at 30 (November 1995)

Orien, Melissa A. and David W. Zimmerman, *Can I Lien That, Too?*, 28:4 at 35 (Fall 2008)

-*Can I Lien That?*, 27:4 at 28 (Fall 2007)

Orelup, Robert J. and Christopher S. Drewry, *Judicial and Reformation of Noncompete Agreements*, 29:3 at 29 (Summer 2009)

Oshiro, Anna H. and Melvin C. Cohen, *Obstacles to Admitting Evidence in Construction Cases*, 20:1 at 36 (January 2000)

Overcash, Allen L. and Jack W. Harris, *Measuring the Contractor's Damages by "Actual Costs" – Can It Be Done?* 25:1 at 31 (Winter 2005)

Overcash, Allen L., *The Case for Construction Law Education* 29:3 at 5 (Summer 2009)

Pages, Krista L., *The Civil False Claims Act -- Legislation in Turmoil*, 19:1 at 42 (January 1999)

-*Defense Privatization -- Opportunities for the Construction Industry*, 19:4 at 39 (October 1999)

- *Handling Criminal False Claims Act Cases*, 28:1 at 27 (Winter 2008)
(with Howard E. O'Leary)

Palley, Stephen, David Dekker and Douglas Green, *The Expansion of Insurance Coverage for Defective Construction*, 28:4 at 19 (Fall 2008)

Paltell, Eric, *Recent Supreme Court Decisions on Sexual Harassment*, 19:1 at 28 (January 1999)

Paskert, Jeffrey M., and E. A. "Seth" Mills, Jr., *What Lies Behind the Doebr? A Review of the Constitutionality of Mechanics' Lien Laws*, 14:4 at 3 (October 1994)

Patrick, Ben, *The Added First Benefit Rule*, 24:3 at 26 (Summer 2004)

Patterson, Carol J., *Contractual ADR Provisions: The House Always Wins*, 24:1 at 16 (Winter 2004)

-*Representation of Multiple Parties in the Construction Arena: Ethical Issues*, 25:4 at 5 (Fall, 2005)

-*Joint Defense and Prosecution Agreements*, 21:2 at 33 (Spring 2001)

Patton, Lynn Hawkins and Cheri Turnage Gatlin, *Claims for Lost Labor Productivity*, 20:2 at 21 (April 2000)

Payne, Britton and Andrew Baum, *Protecting Architectural Works: Breaking New Ground with Familiar Tools*, 27:4 at 23 (Fall 2007)

Peartree, Kevin F.; *The ConsensusDOCS 300 Standard Form of Agreement for Collaborative Project Delivery*, 29:1 at 25 (Winter 2009)

Peden, Davis D. and Andrew D. Ness, *Arbitration Developments: Defects and Solutions*, 22:3 at 10 (Summer 2002)

Pepe, Louis R., *Compensating the Former Employee to Prepare and Prove Construction Claims*, 24:1 at 19 (Winter 2004)

Perlberg, Brian M. and Larry D. Harris; *Advantages of the ConsensusDOCS Construction Contracts*; 29:1 at 5 (Winter 2009)

Perry, Carol Pratt, *Third Party Tort Claimants Can Recover against Sureties under Construction Bonds: Is the Bond a Comprehensive General Liability Policy?*, 5:4 at 5 (April 1985)

Peitsch, David T., *Internet Research Relating to Subsurface Conditions*, 20:2 at 20 (April 2000)

Peterson, Michael R., *Introduction to Environmental Law Informational Resources*, 14:1 at 10 (January 1994)

Pharr, Steve M. and Kenneth E. Menzel, *Thinking About the Unthinkable: Landowner and Design Professional Liability for September 11-Style Attacks*, 26:2 at 10 (Spring 2006)

Pierce, Timothy L., *California Courts Examine Definition of 'Legally Liable' in CGL Policies*, 19:2 at 22 (April 1999)

Pierson, George J., Michael Black QC and Wendy Kennedy Venoit, *Arbitration of Cross-Border Disputes*, 27:2 at 5 (Spring 2007)

Piligian, Doreen J., *Resident Preference Laws and the Award of Public Contracts*, 10:2 at 10 (May 1990)

Pink, Scott W., *The Expanding Scope of Copyright Protection for Architectural Works*, 12:4 at 1 (November 1992)

Pinnell, Steven S., *Construction Scheduling Disputes: Proving Entitlement*, 12:1 at 18 (January 1992)

Pomeroy, Scott K., Paul A. Sandars, III, and John E. Bulman, *The Horns of a Dilemma: Too Much Involvement in Worksite Safety Can Backfire on Design Professionals*, 21:2 at 5 (Spring 2001)

Popovsky, Carl L., and Steven G. M. Stein, *Liability for Differing Site Conditions and the Risk-Sharing Philosophy*, 20:2 at 13 (April 2000)

Poretti, Daniel Q., and Ronald E. Martell, *Using Experts to 'Prove Up' Your Construction Case*, 8:2 at 11 (April 1988)

Porter, Thomas R., and Anatole G. Richman, *Employee Stock Ownership Plans: A Better Way to Increase Productivity, Reduce Corporate Taxes and Finance Growth*, 5:3 at 3 (January 1985)

-*Tax Traps for the Small and Mid-Sized Business*, 5:4 at 9 (April 1985)

Poteet, Sam H., Jr., and J. Michael Franks, *Entitlement to Contract Funds Among Competing Surety, Lender, Contractor and the Internal Revenue Service*, 9:4 at 11 (November 1989)

Potter, Nancy N., *Design Delegation Provisions of AIA Document A201, 1997 Edition*, 18:3 at 27 (July 1998)

-*Legislative and Judicial Responses to Limitation of Liability Provisions*, 16:4 at 61 (October 1996)

Poulin, Douglas M., *Abandoning the Construction Project*, 28:3 at 48 (Summer 2008)

-*Recovering Consequential Damages*, 23:4 at 29 (Fall 2003)

Powers, Dennis J., and Eric A. Berg, *Accessibility: Not Just the Owner's Responsibility*, 21:2 at 13 (Spring 2001)

Pozen, Thorn L., *Proposed New Brownfield Legislation in Washington, D.C.*, 20:2 at 45 (April 2000)

Precella, Karen S., *Architect Liability: Should an Architect's Status Create a Duty to Protect Construction Workers from Job-Site Hazards?*, 11:3 at 11 (August 1991)

Preston, Charles III, *Satisfaction Contracts: A 'Hypothetical' Approach to an Analytical Framework*, 13:4 at 22 (October 1993)

Quatman, William and Casey S. Halsey, *Design/Build Contracts: Valid or Invalid?*, 9:3 at 1 (August 1989)

-*Right-to-Cure Laws Try to Cool Off Condo's Hottest Claims*, 27:3 at 13 (Summer 2007)

-*The AIA's New (and Improved) Design-Build Contracts*, 25:2 at 37 (Spring 2005)

Queen, Erin M., and John W. Hinchey, *Anticipating and Managing Projects: Changes in Law*, 26:4 at 26 (Fall 2006)

Rackas, Ann, *AIA Contract Documents Electronic Format Version 3.0: The AIA Is Working On It*, 21:4 at 44 (Fall 2001)

Ramirez, Alann M., *Researching Damages and Critical Path Method Resources on the Internet*, 21:4 at 15 (Fall 2001)

Rapp, Rebecca E. and Laurence S. Kirsch, *Mold: An Evolving Issue in Design and Construction Defect Litigation*, 23:2 at 5 (Spring 2003)

Ratterman, David B., *The Use of Net-Based Reverse Auctions to Procure Construction Services*, 24:3 at 22 (Summer 2004)

-*The ADA and Construction Employers*, 19:1 at 22 (January 1999)

Raves, David, *Liquidated Damages in the Construction Industry*, 12:3 at 6 (August 1992)

Ray, Keith P., *An Analysis of the Architectural Works Copyright Protection Act of 1990*, 15:2 at 23 (April 1995)

Redmon, Carolyn K., *Understanding MBEs in the 90s*, 11:4 at 13 (October 1991)

Reinert, Bernard A., *Limitations on Recoverable Damages*, 18:2 at 5 (April 1998)

Reiss, Ronald B., *The Design Professional as Predictor of Construction Cost: Has Liability Kept Pace with Construction Reality?* 13:3 at 9 (August 1993)

Reynolds, Hugh E., Jr., and Patrick L. Dunn, *General Liability Coverage for Property Damage Due to a Contractor's Negligent Construction*, 13:3 at 1 (August 1993)

-*The Construction Lawyer: A Man or Woman for All Seasons*, 20:2 at 47 (April 2000)

-*What Is a Contractor's Warranty Responsibility for Owner-Specified Materials -- Trustees of Indiana University v. Aetna Casualty & Surety*, 11:4 at 1 (October 1991)

-*Is Eichleay the Answer? An In-Depth Look at Home Office Overhead Claims*, 7:2 at 1 (April 1987)

-*The Pyramids Case: What Duty Should a Contract Surety Have to Investigate or Inspect Before Denying a Claim?*, 1:1 at 1 (Spring 1980)

Rhiner, Joel J., and Steven G. M. Stein, *Enforcing Letters of Intent and Handshake Agreements*, 20:2 at 37 (April 2000)

Richman, Anatole G., and Thomas R. Porter, *Employee Stock Ownership Plans: A Better Way to Increase Productivity, Reduce Corporate Taxes and Finance Growth*, 5:3 at 3 (January 1985)

-*Tax Traps for the Small and Mid-Sized Business*, 5:4 at 9 (April 1985)

Riddle, James A., and James T. Hendrick, *Commercial General Liability and Commercial Property Insurance for Contractors*, 7:2 at 5 (April 1987)

Ritchey, Gary H., *Statutes of Repose for Latent Defects*, 8:3 at 35 (August 1988)

Roberts, David, *After the Ball: Subsequent Use of Construction Documents After the Project for Which They Were Originally Prepared: A Sketchy Area of the Law*, 17:2 at 35 (April 1997)

-*I Meant Every Word That He Said: False Designation of Origin of Construction Documents After Dastar*, 25:5 (Winter 2005)

-*There Goes My Baby: Buildings as Intellectual Property Under the Architectural Works Copyright Protection Act*, 21:2 at 22 (Spring 2001)

Roberts, Kimberly L., *Construction Accident: Who Is Liable?*, 15:1 at 3 (January 1995)

Rogers, Richard H., *Construction Surety's Liability for Pre-Judgment Interest*, 4:3 at 3 (Summer 1983)

Rosengren, David E., and Thomas G. Librizzi, *Bid Protests: Substance and Procedure on Publicly Funded Construction Projects*, 7:1 at 1 (January 1987)

Rosenstiel, Jeffrey S., and David C. Olson, *Predicting When Construction Contracts Are Subject to Article 2 of the UCC*, 21:1 at 22 (Winter 2001)

Rowe, Eric C., and Allen Holt Gwyn, *Home Electric v. Star Paving Promissory Estoppel Debate: The Rules of Offer and Acceptance Have Not Been Abandoned*, 11:1 at 7 (January 1991)

Rowland, John H., J. Michael Franks, and Jacqueline T. Lewis, *Prepetition Planning for Contract Sureties*, 15:3 at 41 (August 1995)

Rubacha, Edward, *Construction Contracts with Indian Tribes or on Tribal Lands*, 26:1 at 12 (Winter 2006)

Rubin, Michael H., *The Ethical Negotiator: Ethical Dilemmas, Unhappy Clients, and Angry Third Parties*, 26:3 at 12 (Summer 2006)

Rubin, Robert A., *Bankruptcy -- From the Vantage Point of the Contractor*, 5:2 at 9 (Summer 1984)

-and Daniel D. McMillan, *Dispute Review Boards: Key Issues, Recent Case Law, and Standard Agreements*, 25:2 at 14 (Spring 2005)

-*Life at the Bottom of the Heap: Default Termination from the Subcontractors' and Suppliers' Perspective*, 17:2 at 29 (April 1997)

-*Construction Law and Practice in Japan*, 9:1 at 1 (January 1989)

-*The Hyatt Regency Decision -- One View*, 6:4 at 20 (August 1986)

-*Foundation Failures and Rehabilitations*, 3:4 at 1 (Fall 1982)

Rudnik, James E., *Reinsurance as a Source of Recovery for Insured Losses*, 15:1 at 31 (January 1995)

Ruprecht, G. Steven, and Christopher J. Daus, *The Pit and the Pendulum: Balancing the Equities in the Construction Bidding Process*, 10:3 at 3 (August 1990)

Ryan, Pamela L., and J. William Ernstrom, *Expanding Negligence Liability of Design Professional to Contractors*, 8:1 at 11 (January 1988)

Ryan, Rory C., Leslie King O'Neal, and Gregory J. Johansen, *Sick Building Claims*, 20:1 at 16 (January 2000)

Ryan, Scott C., and Dr. John B. Miller, *Effective Corporate Records Retention in the Construction Industry*, 28:1 at 22 (Winter 2008)

Salzer, Thomas, *The EPA May Be More Responsible for Cleaning Up Boston Harbor Than It Wants to Be*, 9:3 at 13 (August 1989)

Sapers, Carl M., *Second Thoughts on the 1990 Architectural Works Copyright Protection Act*, 13:2 at 16 (April 1993)

Sandars, III, Paul A., John E. Bulman, and Scott K. Pomeroy, *The Horns of a Dilemma: Too Much Involvement in Worksite Safety Can Backfire on Design Professionals*, 21:2 at 5 (Spring 2001)

- *Theories of Lender Liability on Construction Projects*, 25:4 at 44 (Fall 2005)

Sandgrund, Ronald M. and Scott F. Sullan, *Useful Life Evidence in Construction Defect Cases*, 27:3 at 27 (Summer 2007)

Sato, Shorge K. and Steven G. M. Stein, *Advanced Analysis of Contract Risk-Shifting Provisions: Is Indemnity Still Relevant?*, 27:4 at 5 (Fall 2007)

Sandori, Paul, *Lost Money on a Project? Sue Somebody!*, 16:3 at 30 (July 1996)

Schaengold, Michael J., Rodney A. Grandon, and Robert S. Brams, *Best Value in Federal Construction Contracting*, 19:2 at 25 (April 1999)

Schneier, Marc M., and Frank L. Wagner, *ERISA Preemption of State Law Remedies: Impact on Union Trust Fund Actions to Recover Unpaid Benefit Contributions*, 15:2 at 14 (April 1995)

- *The Magnuson-Moss Warranty Act: Federalizing Homeowner Construction Defect Cases*, 13:4 at 1 (October 1993)

- *Tortious Interference with Contract Claims against Architects and Engineers*, 10:2 at 3 (May 1990)

- *Legal Aspects of Architecture, Engineering and the Construction Process*, 7th Edition, 25:3 at 48 (Summer 2005)

Schollaert, Michael A. and Joseph C. Kovars, *Truth and Consequences: Withdrawn Bids and Legal Remedies*, 26:3 at 5 (Summer 2006)

Schone, John E., *Delay Problems in Multiple-Prime Contractor Construction Contracts: A Management Perspective*, 5:3 at 1 (January 1985)

Schooley, Steven R., *Applying Environmental Law to the Construction Industry*, 18:4 at 13 (October 1998)

- *The Devil in Devolution: State and Local Preference Programs*, 16:4 at 18 (October 1996)

Schooner, Steven L., *The Lacey Order: Control of Complex Litigation Before the BCAs*, 9:2 at 1 (April 1989)

- *The Davis-Bacon Act: Controversial Implementation of the 50 Percent Rule*, 5:3 at 9 (January 1985)

Schor, Laurence, *Claims Under Federal Government Contracts*, 20:4 at 18 (October 2000)

Scott, James J., *A Passion for the Remarkable*, 21:2 at 46 (Spring 2001)

Scotti, David, *Program Management: the Owner's Perspective*, 16:4 at 15 (October 1996)

- *Reporting and Scheduling Under AIA Documents A201 and B141: The Owner's Viewpoint*, 15:2 at 9 (April 1995)

Seeger, Stephen M., and Patricia A. Tobin, *Researching Government Contract Law on the Internet*, 20:4 at 41 (October 2000)

Senter, David A., and Andrew L. Chapin, *Statutory Grounds for Challenging Arbitration Awards*, 19:4 at 30 (October 1999)

- *Construction Warranties and Guarantees: A Primer*, 23:1 at 17 (Winter 2003)

Seppala, Christopher R., *Contractor's Claims Under the FIDIC Civil Engineering Contract*, 13:1 at 1 (January 1993)

- *The New FIDIC International Civil Engineering Subcontract*, 15:3 at 25 (August 1995)

Sessler, Robert J., *Bottom of the Totem Pole: Legal Risks and Payment Problems of Subcontractors*, 12:4 at 23 (November 1992)

Schubert, Lynn M., and Robert J. Duke, *Point/Counterpoint: Surety Bonds – The Best Protection Against Contractor or Subcontractor Default*, 22:1 at 22 (Winter 2002)

Shapiro, Clifford J., *Point/Counterpoint: Inadvertent Construction Defects Are an "Occurrence" under CGL Policies*, 22:2 at 13 (Spring 2002)

- *The Good, the Bad, and the Ugly: New State Supreme Court Decisions Address Whether an Inadvertent Construction Defect is an "Occurrence" Under CGL Policies*, 25:3 at 9 (Summer 2005)

Shapiro, Stephen B., and Michelle D. Hertz, *Recovery of Attorney's Fees in Federal and State Construction Cases*, 19:3 at 37 (July 1999)

Sheak, J. Charles, and Timothy J. Korzun, *Liquidated Damages and the Surety: Are They Defensible?*, 9:2 at 19 (April 1989)

- *Old Game, New Rules: A Brief Guide to 1987 Changes in the A.I.A. A201, General Conditions of the Contract for Construction*, 8:3 at 3 (August 1988)

Shepherd, Frank A., and Thomas B., Bourque, *Strict Liability in the Construction Context*, 3:3 at 3 (Summer 1982)

Shreves, H. Bruce, *Contractor's and Surety's Rights and Liabilities Upon Owner Insolvency: An Update on the 'Pay When Paid' Clauses*, 8:3 at 21 (August 1988)

Shumway, Ronald L., and Stephen G. Walker, *Practical Alternatives When Your Subcontractor Client Cannot Bond*, 8:3 at 30 (August 1988)

Siegfried, Steven M., and Mark Lawrence, *Home Electric v. Hall & Underdown Heating & Air Conditioning: Mutuality Remains the Only Solution to the Construction Bidding Problem*, 9:4 at 3 (November 1989)

- *Overview of the Uniform Construction Lien Act*, 10:3 at 13 (August 1990)

Silberman, Aaron P., *Beyond Changes: Abandonment and Cardinal Change*, 22:4 at 5 (Fall 2002)

- *Abandonment and Cardinal Change Claims on "Projects from Hell"*, 25:4 at 18 (Fall 2005)

Sink, Charles M., *Negotiating Dispute Clauses That Affect Damage Recovery in Arbitration*, 22:3 at 5 (Summer 2002)

- *Negotiating Dispute Clauses That Affect Damage Recovery*, 18:2 at 22 (April 1998)

Sirany, Jacqueline P., and James Duffy O'Connor, *Controlled Construction Insurance Programs: Putting a Ribbon on Wrap-Ups*, 22:1 at 30 (Winter 2002)

Sklar, Stanley P., Edward L. Filer, and Tina M. Bird, *Implied Duties of Contractors: Wait a Minute, Where is That in My Contract?* 21:3 at 11 (Summer 2001)

-*On the Psychology of Incompetence in the Construction Process*, 14:2 at 9 (April 1994)

-*Overview of the Uniform Construction Lien Act*, 10:3 at 13 (August 1990)

-*An Analysis of the AIA A401 Subcontract (1987 Ed.) -- The Subcontractor's Viewpoint*, 8:1 at 3 (January 1988)

-*A Subcontractor's View of Construction Contracts*, 8:1 at 1 (January 1988)

Sklar, Steven H., *An Arbitrator's Award of Attorneys' Fees: Just and Equitable Relief or Discretion Run Rampant?*, 16:2 at 24 (April 1996)

Sledz, Jr., Henry W. and Matthew D. Lahey and Thurston C. Bailey, *Responding to Picketing at the Work Site*, 28:4 at 5 (Fall 2008)

Slutzky, Lorence H., *Fully Understanding and Utilizing the Call Back Warranty*, 23:1 at 13 (Winter 2003)

Smedley, T. A., and Gerald B. Kirksey, *Protecting the Contractor's Expectation Interest After the Owner's Substantial Breach*, 6:1 at 1 (October 1985)

Smith, George Anthony, *The Continuing Decline of the 'Economic Loss Rule' in Construction Litigation*, 10:4 at 1 (November 1990)

Smith, Mark A. and Audra J. Zarlenga, *Can a Nonsignatory or Nonparty Be Bound by an Arbitration Award? A Warning for the Unwary*, 24:3 at 18 (Summer 2004)

Smith, Richard F., and Scott D. Gray, *Recovery of Project Overhead on Changed Work: A Significant Dilemma for Government Contractors*, 21:4 at 8 (Fall 2001)

-*Dysfunctional ADR: Tips to Avoid the Pain*, 16:4 at 26 (October 1996)

-*Dobson v. Rutgers: A Roll of the Dice for Multi-Prime Contractors*, 5:1 at 3 (Spring 1984)

Smith, Robert J., *Combating Adhesion Contracts: Where Does the Buck Stop?*, 9:3 at 3 (August 1989)

Snider, William Garth, *Impaired Bonding Claims*, 19:4 at 36 (October 1999)

Snipes, G. W., and Jon T. Anderson, *Stretching the Concept of Mini-Trials: The Case of Bechtel and the Corps of Engineers*, 9:2 at 3 (April 1989)

Sobel, Stuart, *The Modified Total Cost Method of Determining Damages*, 21:4 at 5 (Fall 2001)

Sours, John D., *Survey of State Rules Regarding Stormwater Runoff Associated with Construction Activities*, 15:4 at 52 (November 1995)

Spangler, John I., III, David R. Hendrick, and Robert B. Wedge, *Battling For the Bucks: The Great Contingency Payment Clause Debate*, 16:3 at 12 (July 1996)

-*The Evolving Liabilities of Construction Managers*, 19:1 at 30 (January 1999)

Speck, Christopher, Peter Fenn, and Michael O'Shea, *Witnesses of Opinion and the Use of Court Experts in the United Kingdom*, 15:4 at 30 (November 1995)

Stark, J. Norman, *Liability Claims Investigation on a Construction Project*, 3:3 at 5 (Summer 1982)

Stark, Sheila C., *Collecting Fees and Costs from the U.S. Government*, 20:4 at 15 (October 2000)

Stayton, Brian F., and Jesse L. Ray, *Spoliation of Evidence: An Overview and Practical Suggestions*, 24:1 at 31 (Winter 2004)

Stein, Steven G.M., and Shorge K. Sato, *Advanced Analysis of Contract Risk-Shifting Provisions: Is Indemnity Still Relevant?*, 27:4 at 5 (Fall 2007)

-and Joel J. Rhiner, *Enforcing Letters of Intent and Handshake Agreements*, 20:2 at p. 37 (April 2000)

-*Liability for Differing Site Conditions and the Risk-Sharing Philosophy*, 20:2 at 13 (April 2000)

- and Ronald O. Wietecha; *A Comparison of ConsensusDOCS to the AIA Form Construction Contract Agreements*, 29:1 at 11 (Winter 2009)

Stipanowich, Thomas J., and Leslie King O'Neal, "*Charting the Course: The 1994 Construction Industry Survey on Dispute Avoidance and Resolution -- Part 1*", 15:4 at 5 (November 1995)

-*What's a NCCUSL? The Uniform Law Commissioners Tackle the Uniform Arbitration Act*, 17:3 at 25 (July 1997)

-*Some Parting Thoughts on (What Else?) Arbitration*, 17:2 at 42 (April 1997)

-*Charting the Course: The 1994 Construction Industry Survey on Dispute Avoidance and Resolution -- Part II*, 16:2 at 8 (April 1996)

-*Dispute Avoidance and Resolution: The Construction Industry As the Cutting Edge of Evolution*, 15:4 at 3 (November 1995)

-*Two-Minute History of Construction Law (King James Version)*, 14:3 at 28 (August 1994)

-*Settling Construction Disputes by Mediation, Mini-Trial and Other Processes -- The ABA Forum Survey*, 12:2 at 6 (April 1992)

-*A Preliminary Analysis of Responses to the Questionnaire on Construction Industry Arbitration*, 7:3 at 17 (August 1987)

Stockenberg, Richard A., and Jennifer Sappenfield Woodbury, *Retainage Revisited: A Time to Revise and Reform*, 16:1 at 41 (January 1996)

Stone, Byron T., and Robert W. Wachsmuth, *Applying Article 2 of the Uniform Commercial Code to Construction Contracts*, 18:3 at 13 (July 1998)

Stout, L. Bruce, and Thomas H. Asselin, *Legal Exposure of the Design/Build Participants: The View of the General Contractor*, 15:3 at 8 (August 1995)

Strobel, Eric J. and Lawrence R. Moelmann, *The Exposure of the Surety and Insurance Carrier to Mold Claims*, 24:2 at 19 (Spring 2004)

Strode, Trisha, *From the Bottom of the Food Chain Looking Up: Subcontractors and the Full Costs of Additional Insured Endorsements*, 25:3 at 21 (Summer 2005)

Strogatz, Ian A. L., William J. Taylor, and Gavin P. Craig, *Pricing the Delay: Whom Do I Sue and What Do I Get?*, 17:4 at 4 (October 1997)

Strong, Kenneth F., and Carol J. Patterson, *Joint Defense and Prosecution Agreements*, 21:2 at 33 (Spring 2001)

Sullan, Scott F., and Ronald M. Sandgrund, *Useful Life Evidence in Construction Defect Cases*, 27:3 at 27 (Summer 2007)

Sutton, Stephen B., *Contractor's Default: Can the Surety Take the Construction Materials?*, 4:3 at 5 (Summer 1983)

Svetz, Holly Emrick, *Electronic Discovery: Cost Shifting Calls for Earlier Discovery Planning*, 23:3 at 9 (Summer 2003)

Swafford, Susan M. and Michael A. Branca, and, *Discovery and Joint Defense Agreements*, 22:1 at 27 (Winter 2002)

Sweet, Justin, *Blueprint for an Authoritative Treatise on American Construction Law*, 12:2 at 11 (April 1992)

-*Mechanics' Liens*, 18:1 at 47 (January 1998)

-*Legal Aspects of Architecture, Engineering and the Construction Process*, 7th Edition, 25:3 at 48 (Summer 2005)

-*"From the Tower" Redux: Lessons a Construction Practitioner Must Learn from Federal Procurement Law*, 27:1 at 26 (Winter 2007)

Tarullo, Michael D., *The Good, The Bad, and Economic Loss Liability of a Design Professional*, 11:2 at 10 (April 1991)

Tayloe, Benjamin O., Jr., and Allen Holt Gwyn, *Comparison of the Major International Arbitration Rules*, 19:3 at 23 (July 1999)

Taylor, Robert G., and Buckner Hinkle, Jr., *How to use ADR Clauses with Standard Form Construction Industry Contracts*, 15:2 at 42 (April 1995)

-*What Contractors Should Know About Environmental Remediation*, 14:1 at 15 (January 1994)

Taylor, William J., Ian A. L. Strogatz, and Gavin P. Craig, *Pricing the Delay: Whom Do I Sue and What Do I Get?*, 17:4 at 4 (October 1997)

Terio, Cheryl, *Program Management: a New Role in Construction*, 16:4 at 4 (October 1996)

Thames, Bryan A., *Inadvertent or Unauthorized Disclosure of Privileged or Confidential Documents: What Do You Do and What Is the Effect?*, 23:4 at 38 (Fall 2003)

Thomas, George W., and T. Scott Leo, *Application of Statutes of Limitation Governing Construction Activity to Construction Bond Sureties*, 10:1 at 3 (January 1990)

Thomas, Jeffrey D., *New Protections for the Surety in the Collective Action Theory of Chapter 11 Bankruptcy*, 12:4 at 16 (November 1992)

Thomas, Ralph C. III, *Minority Participation in Government Construction Projects: Developing New Approaches*, 8:3 at 15 (August 1988)

Thomas, Richard Gary, and Fred D. Wilshusen, *How to Beat a 'No Damage for Delay' Clause*, 1:9 at 17 (January 1989)

Thomson, Dean B., and Michael J. Kinzer, *Best Value in State Construction Contracting*, 19:2 at 31 (April 1999)

-*A Disconnect of Supply and Demand: Survey of Forum Members' Mediation Preferences*, 21:4 at 17 (Fall 2001)

-*Dysfunctional ADR: Tips to Avoid the Pain*, 16:4 at 26 (October 1996)

-*The Forum's Survey on the Current and Proposed AIA A201 Dispute Resolution Provisions*, 16:3 at 3 (July 1996)

Thompson, Patricia H. and Christine Dean, *Continued Erosion of the Economic Loss Rule in Construction Litigation by and Against Owners*, 25:4 at 36 (Fall 2005)

Tibbitt, William P., *AGC 200 Addresses Owner and Contractor Concerns*, 23:3 at 34 (Summer 2003)

Tindall, Craig D., *The Obligatory Advance Rule in the Construction Lending Context*, 12:1 at 13 (January 1992)

Tinsley, William J. Jr., and Laura A. Hauser, *Eyes Wide Open: Contractors Must Learn to Identify and React to Design Risks Assumed Under Performance Specifications*, 27:3 at 32 (Summer 2007)

Tobin, Patricia A., and Stephen M. Seeger, *Researching Government Contract Law on the Internet*, 20:4 at 41 (October 2000)

Tobin, Victoria H., Christopher B. Cashen, and David R. Hendrick, *Definition and Certification of 'Claims' on Federal Public Works under the Contract Disputes Act: Smoothing Out the Rocky Road to Recovery*, 13:2 at 1 (April 1993)

Tocco, John V., *Analysis of a Survey: How Subcontractors Use Lawyers in Construction Disputes*, 12:4 at 3 (November 1992)

Toomey, Daniel E., and Gregory Brown, *The Incredible Shrinking "American Rule": Navigating the Changing Rules Governing Attorneys' Fee Awards In Today's Construction Litigation*, 27:2 at 34 (Spring 2007)

-and William B. Fisher, *Is a Surety Obligated to Investigate Financing a Contractor Who Requests Financial Assistance?*, 12:4 at 11 (November 1992)

-*Surety Bonds: A Basic User's Guide for Payment Bond Claimants and Obligees*, 22:1 at 5 (Winter 2002)

-*The Scheduling Expert: A Primer on Preparing Direct and Cross*, 15:2 at 63 (April 1995)

-*Surety, Insurance, Construction and Hazardous Waste: A Toxic Mix?*, 14:1 at 31 (January 1994)

Tracy, Lisa M., and Glenn T. Barger, *The Impact of Disappearing Carriers on Construction Defect Litigation*, 25:3 at 16 (Summer 2005)

Turner, Scott C., *Insurance Coverage for Incorporation of Defective Construction Work or Products*, 18:2 at 29 (April 1998)

Tyrrell, Terry L., *Selected Developments of General Interest Respecting Employee Benefits*, 3:2 at 5 (Spring 1982)

Vento, John S., Dennis A. Estis, and E. Richard Kennedy, *Admissibility of Computer-Generated Evidence*, 14:3 at 1 (August 1994)

Velasquez, Nichole M., and Robert F. Carney, *-The Interpretation and Enforcement of Contractual Limitation Periods Contained in Contract Surety Bonds*, 26:2 at 29 (Spring 2006)

Venoit, Wendy Kennedy, Michael Black QC and George J. Pierson, *Arbitration of Cross-Border Disputes*, 27:2 at 5 (Spring 2007)

Venzie, Howard D., Jr., and Robert M. Wright, *Arbitration -- Waiver by Judicial Proceedings and the Effect of the Construction Industry Arbitration Rules of the American Arbitration Association*, 8:2 at 5 (April 1988)

Victor, Matthew A., *The Hyatt Collapse -- A Post Mortem*, 10:4 at 7 (November 1990)

Wachsmuth, Robert W., and Byron T. Stone, *Applying Article 2 of the Uniform Commercial Code to Construction Contracts*, 18:3 at 13 (July 1998)

-*The United Nations Convention on Contracts for the International Sale of Goods*, 20:3 at 31 (July 2000)

Wagman, Joseph G., and Judy H. Chen, *Liability for Defective Work -- Drafting Contract Provisions from the General Contractor's Perspective*, 10:2 at 1 (May 1990)

Wagner, Frank L., and Marc M. Schneier, *ERISA Preemption of State Law Remedies: Impact on Union Trust Fund Actions to Recover Unpaid Benefit Contributions*, 15:2 at 14 (April 1995)

Walker, Stephen G., and Ronald L. Shumway, *Practical Alternatives When Your Subcontractor Client Cannot Bond*, 8:3 at 30 (August 1988)

-*Statutory Responses to 'No Damage for Delay' Clauses*, 6:3 at 9 (April 1986)

Wallach, Daniel L. and Steven B. Lesser, *Risky Business: the "Active Interference" Exception to No-Damage-for-Delay Clauses*, 23:1 at 26 (Winter 2003)

- *The Twelve Deadly Sins: An Owner's Guide to Avoiding Liability for Implied Obligations During the Construction of a Project*, 28:1 at 15 (Winter 2008) (with Steven B. Lesser)

Walthall, Elise H., and Richard H. Lowe, *When Architects Withhold Certificates of Substantial Completion, and Other Problems*, 19:4 at 5 (October 1999)

Watt, Robert G., Vivian Katsantonis, and Christopher J. Brasco, *The Surety's Procedures for Preserving and Defending Its Rights Following a Default Termination*, 22:1 at 10 (Winter 2002)

Weier, James D., Seth D. Lamden, and Ric D. Glover, *Preserving Consequential Damages Through Limited Waivers and Insurance Coverage*, 22:3 at 22 (Summer 2002)

Welch, Michael, and Larry S. McReynolds, *Res Judicata and Collateral Estoppel: New Defenses in Construction Litigation?*, 5:3 at 5 (January 1985)

West, Joseph D., *Practical Advice Concerning the Federal Government's Termination for Convenience Clause*, 17:4 at 26 (October 1997)

Weston, Steven W., and Barbara Biles, *National Environmental Policy Act: Issues Impacting Construction*, 14:1 at 4 (January 1994)

Wheatley, Benton T., and Travis W. Brown, *An Introduction to Building Information Modeling*, 27:4 at 33 (Fall 2007)

Wheatley, Benton T., *Defending Subrogation Claims in Design and Construction Cases*, 25:3 at 32 (Summer 2005)

White, Nancy J., and Theodore R. Bolema, *Federal Antitrust Law Implications of Bid Shopping*, 24:1 at 37 (Winter 2004)

Whiteman, Nicola Y., and Michael C. Zisa, *Researching Bankruptcy Law on the Internet*, 22:2 at 10 (Spring 2002)

Whitney, Christopher C., *An Evolving Perspective on Design/Build Construction: A View from the Courthouse*, 15:2 at 1 (April 1995)

Wickwire, Jon M., and Stuart Ockman, *Use of Critical Path Method on Contract Claims -- 2000*, 19:4 at 12 (October 1999)

- *Construction Scheduling: Preparation, Liability and Claims, Second Edition*, 25:3 at 49 (Summer 2005)

Wietecha, Ronald O. and Steven G.M. Stein; *A Comparison of ConsensusDOCS to the AIA Form Construction Contract Agreements*, 29:1 at 11 (Winter 2009)

Wigal, Gary S., *Interference with a Contractor's Early Completion of a Construction Project*, 10:4 at p. 17 (November 1990)

Wilburn, William Karl, *Germany Adopts New Procurement Code*, 19:3 at 35 (July 1999)

- *Recent Cases on Design-Build*, 21:1 at 12 (Winter 2001)

Wildman, William R., and James P. Groton, *The Role of Job-Site Dispute Resolution in Improving the Chances for Success on a Construction Project*, 12:3 at 1 (August 1992)

Wilshusen, Fred D., and Richard Gary Thomas, *How to Beat a 'No Damage for Delay' Clause*, 1:9 at 17 (January 1989)

- *Forms and Substance: Specialized Agreements for the Construction Project*, by Michael D. Tarullo, Carina Y. O'Hara, John I. Spangler III, editors, (ed. by Fred D. Wilshusen) 26:4 at 45 (Fall 2006)

Winkel, Steven R. and Francis D.K. Ching, *Building Codes Illustrated: A Guide to Understanding the International Building Code*, 25:3 at 51 (Summer 2005)

Woodbury, Jennifer Sappenfield, and Richard A. Stockenberg, *Retainage Revisited: A Time to Revise and Reform*, 16:1 at 41 (January 1996)

Woodward, W. Jeffrey and Jack P. Gibson, *The 2004 ISO Additional Insured Endorsement Revisions*, 25:3 at 5 (Summer 2005)

Wordes, Dana, and Robert A. Rubin, *Life at the Bottom of the Heap: Default Termination from the Subcontractors' and Suppliers' Perspective*, 17:2 at 29 (April 1997)

Wright, Robert M., and Howard D. Venzie, Jr., *Arbitration -- Waiver by Judicial Proceedings and the Effect of the Construction Industry Arbitration Rules of the American Arbitration Association*, 8:2 at 5 (April 1988)

-*Design Professional Liability: Applicability of the A.I.A. Contractual Limits on the Operation of the Statute of Limitations to Members of the Design Team Not in Privity with the Owner*, 15:4 at 43 (November 1995)

-*Cost Plus Contracts: The Construction Contractor -- Is He A Fiduciary?*, 7:1 at 3 (January 1987)

-*Contractual Liability and Damages Disclaimers: A Problem in Perception*, 6:4 at 3 (August 1986)

Wright, Wm. Cary, and Thomas F. Icard, Jr., *Sick Building Syndrome and Building-Related Illness Claims: Defining the Practical and Legal Issues*, 14:4 at 1 (October 1994)

-*Force Majeure Delays*, 26:4 at 33 (Fall 2006)

-*Force Majeure Clauses and the Insurability of Force Majeure Risks*, 23:4 at 16 (Fall 2003)

Wuorinen, Susan E., and Kathiann M. Kowalski, *How to Avoid Being Bogged Down in Wetlands Regulation: Some Practical Suggestions for the Developer*, 13:3 at 3 (August 1993)

Zarlenga, Audra J., and Mark A. Smith, *Can a Nonsignatory or Nonparty Be Bound by an Arbitration Award? A Warning for the Unwary*, 24:3 at 18 (Summer 2004)

Zetlin, Michael S., and Francine M. Chillemi, *Clauses Imposing Monetary Limits on Designer Liability*, 20:1 at 5 (January 2000)

-*Contractor v. Design Professional Lawsuits: Unnecessary for Contractors and Perilous for Design Professionals*, 12:3 at 14 (August 1992)

Zichello, Vincent J., *The TPK Case: Useful Innovation or Mistake?*, 12:3 at 3 (August 1992)

Zimmerman, Bryant K., *Interest on Government Construction Claims in California*, 10:1 at 18 (January 1990)

Zimmerman, David W. and Melissa A. Orien, *Can I Lien That, Too?*, 28:4 at 35 (Fall 2008)

Can I Lien That?, 27:4 at 28 (Fall 2007)

Zisa, Michael C. and Nicola Y. Whiteman, *Researching Bankruptcy Law on the Internet*, 22:2 at 10 (Spring 2002)

Zovickian, Stephen, and Geoffrey Howard, *Electronic Discovery in Construction Litigation*, 18:3 at 8 (July 1998)