

## real estate and construction litigation

Cutting-edge counsel on the increasingly specialized problems of the industry

Recognizing the complex legal challenges of the real estate and construction industries, our practice combines experienced litigators with backgrounds in real estate and construction law as well as deep industry knowledge.

Our team members have developed the focused knowledge and experience to handle issues ranging from everyday mechanics liens and landlord/tenant problems to more sophisticated real estate and construction contract and defect claims, broker issues, land use and zoning disputes as well as eminent domain.

Thompson Coburn's interdisciplinary approach focuses on the practical concerns of real estate and construction industry clients. Because of our depth, resources and strategic approach, one cooperating team of attorneys can address all legal aspects of real estate projects from land acquisition, finance, design, development and construction issues to pre-dispute advice, mediation, arbitration, litigation, foreclosure, bankruptcy, and all issues in between.

Our clients include real estate owners, developers, contractors, lenders, and governmental entities. Whatever their perspective on project development, our real estate and construction industry clients appreciate our team approach to helping make their projects successful. They depend on us because we understand the issues they face, and know we have the experience and resources to help them solve problems. Knowing the time sensitivity of most project development, we focus first on resolving disputes and solving problems. When litigation or arbitration is necessary, our clients know we have years of experience in courts and before arbitrators. Our attorneys practice regularly in state and federal courts across the country. Firm resources include sophisticated litigation support capabilities to provide advice to our clients and convince the triers of fact of our clients' positions.

### experience

- Led the negotiations and prepared the agreements for the construction of a \$200 million clean air scrubber project for a power plant.
- Revised form construction contracts and related documents for a Missouri city and for a major road construction contractor.
- Represented the owner of a large office building in the City of St. Louis who had been sued by the general contractor for \$26 million. We successfully moved the case from St. Louis City Circuit Court into arbitration. The arbitrators denied the contractor's claim in full and awarded the firm's client the full amount of its counterclaim.
- Successfully defended one of the largest home/residential apartment builders in the nation in a case where the plaintiffs claimed alleged numerous code violations as evidence of the defendant's failure to design and build in conformance with standards of due care.
- Represented owners in claims against design professionals and contractors in claims against subcontractors.
- Successfully represented developers in zoning disputes with the St. Louis metro area cities of Chesterfield, Creve Coeur and Town & Country, among others, paving the way for major commercial developments.
- Represented the Saint Louis Zoo in a successful lawsuit against an architectural firm and others in connection with the design and construction of a large exhibit inside the Living World building.
- Through eminent domain proceedings, helped clients assemble the land for such major transportation and redevelopment projects as the 17-mile Metrolink extension in St. Clair County, Illinois, and the TIF-assisted Brentwood Promenade in St. Louis County.



- Conducted arbitration proceedings before a three-member arbitration panel on behalf of the National Benevolent Association. The matter involved architectural malpractice in connection with the renovation of a nursing home in Jacksonville, Ill. The panel decided in favor of the firm's client.
- Defense of roof design, building collapse, concrete structural failures, luxury home construction, design problems, roof truss problems and delay damages with respect to road building.
- Represented a real estate fund with respect to enforcement of capital contribution provision and defense of claims of breach of fiduciary duty.
- Represented buyer with respect to defense of broker's claim for commission and prosecution of claim for breach of fiduciary duties concerning large collection of single family homes.
- Represented commercial landlords and tenants with respect to disputes concerning "use" provision.

## professionals

**john**

John P. Amato

**mary**

Mary M. Bonacorsi

**tina**

Tina M. Bird

**jeffrey**

Jeffrey N. Brown

**katharine**

Katharine Battaia Clark

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Ryan J. Gehbauer

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Joshua Jay

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Ryan Russell Kemper

**brian**

Brian A. Lamping

**paul**

Paul T. Sonderegger

**peter**

Peter Stark Strassner

**rose**

Rose M. Tanner

**adam**

Adam C. Toosley