



## Helen J. Lauderdale

### Special Counsel

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### PRACTICE AREAS

- Litigation
- Government Contracts, Investigations & International Trade
- Construction and Infrastructure

### INDUSTRIES

- Construction and Infrastructure

## OVERVIEW

Helen J. Lauderdale is special counsel in the Real Estate, Environmental and Construction Practice Group in the firm's Los Angeles office.

### Areas of Practice

#### Construction and Government Contracts

Ms. Lauderdale has advised local public agencies regarding competitive bidding and competitive negotiation procedures. She has negotiated, drafted, and reviewed engineering, design, design-build, construction, and material procurement contracts on behalf of public agencies, private owners, and contractors. She has represented public agencies, private owners, contractors, and engineers in mediations, arbitrations, and litigations involving issues of professional negligence, extra work, delay, changed conditions, mechanic's liens, stop notices and surety bonds.

#### Commercial Litigation

Ms. Lauderdale has litigated disputes on behalf of clients in a wide variety of industries, including telecommunications, health care, chemicals, art, mortgage lending, and construction. She has defended manufacturers of plastic pellets, window film, and transit buses against breach of warranty claims. She has represented telecommunications and computer equipment companies in payment disputes with their commercial customers and vendors. And she has represented a mortgage lender in claims against originating lenders, borrowers, and appraisers for breach of contract, negligence, and fraud.

## EDUCATION

- J.D., Northwestern University, 1985
- B.A., Carleton College, 1981, *cum laude*

## ADMISSIONS

- California
- U.S. District Court, Central District of California
- Ninth Circuit Court of Appeals

## EXPERIENCE

### Representative Litigation Matters

- Assisted in defending an engineering, procurement, and construction contractor against claims for negligence and breach of contract with respect to the design of a heavy industrial plant in Mexico.
- Assisted in defending toll road engineer against insurer's claim in subrogation arising from a landslide during construction and against neighboring homeowners' claims arising from flooding during construction.
- Represented community organization in claims against the architects and general contractor for defective design and construction work on the renovation and expansion of the organization's recreational facility.
- Represented numerous project owners in litigation brought by contractors arising from the close-out of contracts for the construction of warehouses, distribution centers, shopping centers, and tenant improvements.
- Assisted in defending the owner against delay and extra work claims asserted by general contractors on the construction of tunnel segments and stations for the Los Angeles Subway. Services included consulting with the public agencies' representatives preparing submissions to Disputes Review Boards and defending a lawsuit in the Los Angeles County Superior Court.
- Assisted in defending owner against a claim by a general construction contractor on a contract for construction of a five-building bus maintenance facility including extensive discovery and a 3-1/2 month trial.
- Assisted in representing general contractor for the construction of the Los Angeles Aqueduct Filtration Plant in claims against the owner for delay and extra work.
- Assisted in representing general contractor for the construction of a major downtown Los Angeles office building in claims against the owner for delays, extra work, and unpaid contract amounts.

#### Commercial Litigation

- Represented mortgage lender in lawsuits against originating brokers, appraisers, and borrowers arising from breaches of contract, negligence, and fraudulent loan documents.
- Co-counsel in a three-month court trial defending manufacturer of plastic pellets against breach of warranty and fraud claims by downstream end-product manufacturer. Obtained defense judgment.
- Defended art dealer against fraud claims by purchaser of fine art. Obtained summary judgment on behalf of art dealer.
- Co-counsel in three-week jury trial defending manufacturer of plastic pellets against breach of warranty and fraud claims by downstream end-product manufacturer. Obtained defense verdict.
- Defended physician who had been exonerated of liability for a patient's injuries against multi-million dollar equitable indemnity claim brought by hospital that was adjudged liable for the injuries. Obtained summary judgment on behalf of physician; summary judgment was affirmed on appeal.

#### Construction Counseling

- Advised local public agencies on public contracting issues, prequalification, bidding, and contract forms.
- Assisted project owners in drafting contracts with architects, engineers, general contractors, and design-builders for construction of courthouse, shopping centers, tenant improvements, hotels, parking garages, and private residences.

- Advised owners and general contractors regarding mechanic's lien, stop notice, and licensing issues.

**MEMBERSHIPS**

- Member, Los Angeles County Bar Association
- Former Chair, Construction Law Subsection, Los Angeles County Bar Association, 1996, 1997
- Member, Construction Law Subsection Steering Committee, 1989-Present
- Board of Directors, South Pasadena Educational Foundation, 2007
- Board of Directors, Westminster Child Center, 1997-1999
- Board of Directors, Carleton College Alumni Association, 1990-1993
- Co-Chair, Carleton Club of Los Angeles, 1989-1993

**ARTICLES**

- Co-author of chapter, "Discovery of Electronically Stored Information in Construction Litigation," in Aspen Publishers' 2007 Construction Law Update.
- Co-author of chapter, "Waiver of Consequential Damages in AIA Standard Form Agreements," in Aspen Publishers' 2002 Construction Law Update.

**SPEECHES**

- Speaker at the Los Angeles County Bar Association's "The 2008 Year in Review: Developments in California Design and Construction Law," 2009
- Speaker at Los Angeles County Bar Association's "Annual Construction Law Update" Program, 2000-2007.
- Speaker at the State Bar of California's Continuing Education of the Bar Seminars "Construction Law and Disputes," June 2004, May 2006, and June 2006.
- Speaker at Los Angeles County Bar Association's Real Property Section Programs, including "Electronic Discovery" in November 2006 and "Mechanic's Lien and Stop Notice Primer" in May 2005.

**EVENTS**

- Construction Claims in Public Works Projects