

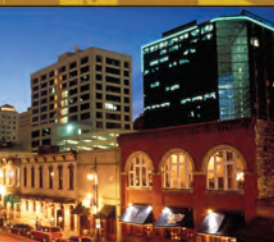


ABA Forum on the Construction Industry

In cooperation with the State Bar of Texas Construction Law Section and the Construction Committee of the Section of Litigation of the American Bar Association

the age of 2010 annual meeting turbulence:

Managing Money
Issues in
Construction



april 22-24, 2010

Hilton Austin

Austin, Texas



Serving the Construction Industry Through Education,
Leadership and Fellowship of Construction Lawyers



dear colleagues

In April, the great state of Texas and its capital city, Austin, will host the Annual Meeting of the Forum. The Forum's first trip to Austin will introduce you to its hospitality, food, history and music. The Annual Meeting will address an issue that is the most basic, and sometimes most complex, in construction law – Money. As our nation navigates one of its most challenging seasons in its economic history, our program, "The Age of Turbulence: Managing Money Issues in Construction," will focus on the economic elements from project concept to closeout, from initial funding to collections, and from owner/developer to designer, contractor and lawyer.

We have coordinated the sessions to follow the project chronologically. We begin with a session on project funding, then move to the buzz word of the decade – Infrastructure – and look at the practical impact of stimulus money and related federal and state regulations. Next we examine public private partnerships (PPP's) and the money-related issues for all project participants. And, as global construction continues to grow, we will explore the financial risks related to operations into a foreign country.

We could not talk money without talking Value Engineering (VE), which we will discuss from the differing perspective of owner, design professional, and contractor. In addition to saving (or losing) money, every business must account for its money. A panel of accountants and attorneys will address major accounting issues for construction. Because the largest component of a construction claim is often related to delay, we invite you to listen to the main author and a critic of the AACE scheduling protocols face-off. Next, we will explore options when cash flow issues leave parties feeling damned if they stopped work to pursue payment, and damned if they don't. Another session looks at considerations for both the consumer and seller of legal services when evaluating and managing the cost of litigation. Because the deal is not done until our clients collect their fees, we also offer a session on creative methods for collecting judgments.

We close the Annual Meeting with a compelling ethics session on the construction lawyer's right to get paid. Rarely do we engage in such a candid discussion of counsel's rights to payment for work and the ethical implications when counsel is faced with the possibility of terminating a client for lack of payment. Finally, the Forum continues its Law and Life Series by hosting a town hall meeting on issues related to diversity and inclusiveness in the law as well as the Forum. Please join in this dialogue. We value your input.

Join us for genuine Texan hospitality at our Thursday night reception, held at Stubb's historic BBQ Saloon, where you'll meet and greet your colleagues while sampling barbecue and listening to music from a local Texas band, outside under the stars. On Friday afternoon, we offer tours of the Lyndon Baines Johnson Presidential Library and Museum, which houses fascinating displays of President Johnson's life, and other recent Presidents.

We present this program in conjunction with the ABA Construction Litigation Section and in cooperation with the State Bar of Texas Construction Law Section. Please join us in Austin for a timely discussion near and dear to your heart – Money.

Kristine A. Kubes

PROGRAM CO-CHAIR

Kubes Law Office, PLLC, Minneapolis, MN

Michael G. Murphy

PROGRAM CO-CHAIR

Greenberg Traurig, LLP, Orlando, FL

Gregory L. Cashion

GOVERNING COMMITTEE LIAISON

Smith Cashion & Orr, PLC, Nashville, TN

LEADERSHIP

ABA Forum on the Construction Industry

governing committee

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Lyman & Nielsen LLC
Oak Brook, IL

Patrick J. O'Connor
Faegre & Benson LLP
Minneapolis, MN

Carol J. Patterson
Zetlin & De Chiara LLP
New York, NY

Richard J. Tyler
Jones Walker
New Orleans, LA

Joseph D. West
Gibson, Dunn & Crutcher LLP
Washington, DC

program schedule



wednesday, april 21, 2010

3:00 – 5:00 p.m.

ADVANCED REGISTRATION/INFORMATION

3:00 – 5:00 p.m.

EXHIBITION SET-UP

5:00 – 6:30 p.m.

**FORUM YOUNG LAWYERS
SECTION RECEPTION**

All Ages Welcomed

Sponsored in part by:

VERITAS® ADVISORY GROUP, INC.

thursday, april 22, 2010

7:00 – 5:30 p.m.

**ADVANCED REGISTRATION/
EXHIBITION OPEN**

7:00 – 8:30 a.m.

FIRST TIMERS' BREAKFAST

LITIGATION SECTION BREAKFAST

**DIVISION 11- IN HOUSE COUNSEL BREAKFAST
(DIVISION 11 MEMBERS ONLY)**

7:00 – 9:00 a.m.

CONTINENTAL BREAKFAST

(available to paid registrants)

8:30 – 8:45 a.m.

WELCOME FROM THE CHAIR

OPENING REMARKS AND ANNOUNCEMENTS

8:45 – 10:00 a.m.

Plenary 1:

**FROM PROJECT CONCEPT TO FUNDING:
WHERE DO YOU GET THE MONEY?**

What steps are necessary to finance a project from its initial concept through construction? This session will address the steps, methods, and challenges in developing the financing package for a project in the current economy.

MODERATOR:

A. Elizabeth (Lizz) Patrick

Patrick Law Group, LLC. Atlanta, GA

SPEAKERS:

K. Gregory Erwin

Winstead PC, Houston, TX

Elizabeth H. Fitzpatrick

*Assistant General Counsel
Bank of America, Hartford, CT*

10:00 – 10:15 a.m.

BREAK

10:15 – 11:15 a.m.

Plenary 2:

**SHAKING THE MONEY TREE: FUNDING OUR
WAY OUT OF THE INFRASTRUCTURE CRISIS**

Deteriorating infrastructure can mean big money for the contractor– as well as big problems due to the impact of state/federal regulations tied to stimulus funding. Speakers discuss contract and liability considerations when addressing requirements/restrictions accompanying the money on infrastructure projects.

MODERATOR:

Jeffrey Cruz

E.E. Cruz & Company, Inc., Holmdel, NJ

SPEAKERS:

Dawnn E. Briddell

Duane Morris LLP, Cherry Hill, NJ

Peter Hughes

Kamlet Reichert, Denver, CO

11:15 a.m. – 12:15 p.m.

Workshop A:

**THE INSIDE AND OUT OF PUBLIC
PRIVATE PARTNERSHIPS**

PPP's have been a popular method overseas for public entities to tap into the private capital market to provide project financing and operation. This presentation will go beyond the previous, more general PPP programs and explore the inner workings of the PPP and the money-related issues they raise, such as insurability and exposure for liability. In addition, by this time we will have more information on how PPPs are working in the US.

SPEAKERS:

Peter C. Halls

Faegre & Benson, LLP, Minneapolis, MN

Chris Kane

P3 Collaborative, Princeton, NJ

Workshop B:

FOREIGN EXCHANGE: THE TEN COMMANDMENTS FOR SUCCESSFUL EXECUTION OF INTERNATIONAL EPC PROJECTS

Your client just landed a huge contract in a foreign country. Sounds like a great opportunity, but can the contractor or design professional afford it? This program will deliver ten rules for success on international projects.

Speakers:

David A. Delman

Chicago Bridge & Iron, The Woodlands, TX

George J. Pierson

Parsons Brinckerhoff, New York, NY

12:15 – 1:45 p.m.

LUNCH

FORUM BUSINESS MEETING/ELECTION OF OFFICERS/PRESENTATION OF AWARDS

2:00 – 3:15 p.m.

Plenary 3:

ACCOUNTING FOR CONSTRUCTION LAWYERS

This session will feature a discussion of the procedure and reporting of contested claims from the perspective of the outside auditor and outside counsel, including the tensions created when clients value a case based on its internal financial treatment versus an evaluation based on applicable law and the merits of the case. The speakers will also highlight the differences in accounting for public and private work, the issues of allowability and allocability on public contracts and the “traps for the unwary” private contractor venturing into the public sector. Those traps include violations of the Truth in Negotiations Act and the False Claims Act.

MODERATOR:

Wm. Cary Wright

Carlton Fields, Tampa, FL

SPEAKERS:

Scott Gray

Navigant Consulting, Coral Gables, FL

Steven J. Kmiecik

Seyfarth Shaw, LLP, Washington, DC

Patrick McGeehin

*FTI Rubino & McGeehin Consulting,
West Palm Beach, FL*

3:15 – 4:15 p.m.

Plenary 4:

REALIZING “VALUE” FROM VALUE ENGINEERING: COSTS, BENEFITS, AND LEGAL ISSUES

The value engineering process, though providing an opportunity for efficiency and savings, often creates problems of delay, confusion, and additional costs, and triggers misaligned expectations. This session will examine transactional aspects of the value engineering process by examining how designers, contractors, and owners administer the value engineering process in different project delivery systems, as well as litigation that may arise from misadministration.

MODERATOR:

Michael S. Zetlin

Zetlin & DeChiara, LLP, New York, NY

SPEAKERS:

Gregory M. Cokinos

Cokinos Bosien & Young, Houston, TX

Claramargaret H. Groover

Groover Law Firm, Orlando, FL

Zachary Rudman

Populous, Kansas City, MO

4:15 – 4:30 p.m.

BREAK

4:30 – 5:30 p.m.

Plenary 5:

DAMAGES BEYOND THE CONTRACT: TORT AND STATUTORY LIABILITY FOR ARCHITECTS, ENGINEERS AND CONTRACTORS

In addition to identifying risks and limiting liability in their written construction contracts, owners, architects, engineers and contractors must also consider potential liability as a result of an expanding body of case law imposing tort liability related to design and construction as well as legislative/statutory liability that may be imposed. This program will identify the most important extra contractual liabilities that should be considered.

MODERATOR

Patrick J. Greene

Peckar & Abramson, P.C., River Edge, NJ

SPEAKERS:

Michael R. Kolloway

AECOM Technology Corporation, Chicago, IL

James H. Landgraf

Cureton Clark, Mt. Laurel, NJ

6:00 – 8:00 p.m.

WELCOME RECEPTION

*Stubb's Bar-B-Q– Corner of Red River Road and East
8th Street -5 blocks from the hotel*

Blue Jeans and Comfortable shoes recommended.

friday, april 23, 2010

7:30 a.m. – 12:15 p.m.

REGISTRATION/ EXHIBITION OPEN

7:30 – 9:30 a.m.

CONTINENTAL BREAKFAST

(Available to paid registrants)

8:00 – 9:30 a.m.

DIVISION BREAKFAST MEETINGS

(Divisions 1-10 & 12)

9:40 – 9:45 a.m.

OPENING REMARKS AND ANNOUNCEMENTS

9:45 – 11:00 a.m.

Plenary 6:

THE AACE RECOMMENDED PRACTICE FOR FORENSIC SCHEDULE ANALYSIS: THE GOOD, THE BAD AND THE UGLY

The AACE Recommended Practice for Forensic Scheduling Analysis has become a controversial subject for construction lawyers. Two preeminent scheduling experts will present opposing views as to the intricacies of the document and its use. This program will highlight important considerations in forensic schedule analysis and methodology, and will delve into the controversy surrounding the RP and how it has become a "weapon" in litigation. The session will consider whether a standard or "recommended practice" is needed, and if so, identify a path going forward to produce a guidance document that may be more widely accepted.

MODERATOR:

Michael D. Tarullo

Schottenstein Zox & Dunn Co., LPA, Columbus, OH

SPEAKER

Michael F. D'Onofrio

Capital Project Management, Inc., Blue Bell, PA

Kenji Hoshino

Project Controls & Forensics, Las Vegas, NV

11:00 – 11:15 a.m.

BREAK

11:15 – 12:15 p.m.

Workshop C:

PURSuing PAYMENT: DAMNED IF YOU DO; DAMNED IF YOU DON'T

When payment is late, contractors and design professionals alike face the unpleasant choice: Wait and go further in the hole, or demand payment and risk a counterclaim. This session explores the tough choices and related risks relating to pursuing payment.

MODERATOR:

Cheri T. Gatlin

Burr & Forman, LLP, Jackson, MS

SPEAKER:

Marilyn Klinger

Sedgwick, Detert, Moran & Arnold, LLP, Los Angeles, CA

Arnold D. Tritt, Jr.

TRITTHENDERSON, Jacksonville, FL

Workshop D:

WALKING THE HIGH WIRE WHILE JUGGLING: STRATEGIES TO MANAGE LITIGATION COSTS AND MEET CLIENT EXPECTATIONS

A constant struggle of a litigator is effectively controlling litigation costs while meeting the expectations of the client. This presentation will explore time and cost efficient methods for managing the attorney –client relationship. Learn practical tips from both inside and outside counsel on how to effectively manage expectations while keeping the costs in check.

SPEAKER:

Richard L. Reed

Coates Rose, San Antonio, TX

D.K. Kirby Wright, Jr.

CH2M Hill, Denver, CO

12:15 p.m.

ADJOURN FOR THE DAY

1:00 p.m.

LBJ PRESIDENTIAL LIBRARY & MUSEUM

1st Shuttle bus run departs at 1:00 pm

6:00 – 7:00 p.m.

RECEPTION HONORING WOMEN IN CONSTRUCTION

Sponsored by Capital Project Management, Inc.

saturday, april 24, 2010

7:30 a.m. – 11:00 a.m.

REGISTRATION/ EXHIBITION OPEN

7:30 – 9:30 a.m.

CONTINENTAL BREAKFAST

(Available to paid registrants)

8:30 – 8:35 a.m.

OPENING REMARKS AND ANNOUNCEMENTS

8:35 – 9:35 a.m.

Plenary 7:

**LAW AND LIFE SERIES: MAKING THE
BUSINESS CASE FOR DIVERSITY IN THE
PRACTICE OF CONSTRUCTION LAW**

A TOWN HALL DISCUSSION

Join in our Town Hall discussion of the significance of diversity in construction law – in a law firm, corporation, industry group, and the Forum – and explore the business reasons behind inclusiveness in recruiting, retention, and mentoring.

MODERATOR:

Larry D. Harris

Greenburg Traurig, LLP, Washington, DC

SPEAKERS:

Deborah S. Ballati

Farella, Braun + Martel, LLP, San Francisco, CA

Robert P. Brown

The Shaw Group, Baton Rouge, LA

Y. Lisa Colon Heron

Smith Currie & Hancock LLP, Fort Lauderdale, FL

Christopher D. Montez

Thomas, Feldman & Wilshusen, LLP, Dallas, TX

Carina O'Hara

Bechtel Corp., Houston, TX

9:35 – 9:45 a.m.

BREAK

9:45 – 10:45 a.m.

Workshop E:

**CONSEQUENTIAL DAMAGES IN THE CURRENT
ECONOMIC CLIMATE: A GUIDE TO RECOVERY
AND AVOIDANCE**

This session will explore the uncertainties inherent in consequential damages analysis, particularly in the current economic climate, will examine who is recovering them (and how) and who is avoiding them (and why), and will recommend modifications to standard form contracts aimed at reducing uncertainty and shifting risk.

SPEAKERS:

John H. Dannecker

Shutts & Bowen, LLP, Orlando, Florida

Dale B. Rycraft

Fennemore Craig, Las Vegas, NV

Workshop F:

**PRE- AND POST-JUDGEMENT COLLECTION
REMEDIES: SHOW ME THE MONEY!**

Obtaining judgment is just the beginning of getting your client paid. This session explores how to effectively employ prejudgment remedies, bonds on appeal, and writs of garnishment and execution to bring that money home.

SPEAKERS:

Patrick J. Poff

*Trenam, Kemker, Scharf, Barkin, Frye,
O'Neill & Mullis, P.A., Tampa, Florida*

Richard Wittbrodt

*Gibbs, Giden, Locher, Turner & Senet, LLP,
Los Angeles, California*

10:45 – 11:00 a.m.

BREAK

11:00 a.m. - 12 Noon

Plenary 8:

**WHEN TO TERMINATE A CLIENT: IT'S AN
ETHICAL QUESTION**

Although largely unspoken, a natural conflict exists between lawyer and client on the issue of payment of attorney's fees. Join us for a candid discussion of counsel's right to payment balanced against the possibility of terminating a client for lack of payment and the ethical implications that accompany this choice.

SPEAKERS:

Keith Moheban

Leonard Street & Deinard, Minneapolis, MN

Jonathan Smabey

*The TX Center for Legal Ethics & Professionalism,
Austin, TX*

12 Noon

ADJOURN

1:30 – 6:30 p.m.

GOLF TOURNAMENT

Avery Ranch Golf Club

event highlights



GREEN GROUND TRANSPORTATION FROM BERGSTROM AIRPORT TO HILTON AUSTIN

For those interested in a green option for ground transportation from the Austin Bergstrom International Airport, you can ride the Capital Metro Bus, Route 100, the Airport Flyer. For 75 Cents you can ride from the Airport to within two blocks of the Hilton Austin Hotel in downtown Austin. Pick up the bus just outside baggage claim, exit the bus at 6th & Red River and walk 2 blocks south to the hotel.

EXHIBIT HALL

Visit the Exhibits! The Forum Exhibit Hall brings companies together in one place to fit the unique needs of construction lawyers. The Exhibit Hall will be open Thursday, April 22, 7:30 AM - 5:00 PM, Friday, April 23, 7:30 AM - 12:00 PM and Saturday, April 24, 8:00 AM - 11:00 AM. Thanks to all of the exhibitors for their continued support of the Forum!

DIVISION BREAKFASTS

Division Breakfasts allow you the opportunity to enhance your knowledge in specific areas of construction law. These specialized meetings provide updates on the latest substantive developments in virtually all areas of construction law while allowing you to network with colleagues who share your interests and practice concerns. Division 11 (members only) will hold its meeting on Thursday, April 22nd, and Divisions 1-10 & 12 will meet on Friday, April 23rd. Please check the box of the Division Breakfast you are interested in attending on the registration form.

Wednesday, April 21, 2010

RECEPTION SPONSORED BY THE FORUM YOUNG LAWYERS SECTION

Come to the inaugural Cocktail Reception sponsored by the newly formed Forum Young Lawyers Section to be held Wednesday, April 21st from 5:00 - 6:00 PM. The FYLS Reception is a great opportunity to visit with old friends from Forum meetings and to make new professional contacts among your peers throughout the country. Open to all, regardless of years in practice.

Thursday, April 22, 2010

LUNCHEON

During Thursday's lunch the Forum will recognize the Immediate Past Chair, Governing Committee Members, and Division Chairs who are rotating off leadership positions, as well as contributing editors to our publications.



WELCOMING RECEPTION AT STUBBS

STUBB's Bar-B-Q is a Texas institution, known for its live music, rustic atmosphere and authentic slow-smoked, hand-trimmed barbecue. It has been making folks smile, satisfied and messy for decades.

In the late 1960's, C.B. "Stubb" Stubblefield opened his first restaurant in Lubbock, Texas. It quickly became a destination for authentic barbecue and live entertainment. Stubbs was ground zero for musicians like Joe Ely and Stevie Ray Vaughn. Although small in size, Stubb's Restaurant was always filled with good friends, great music and plenty of Stubb's Legendary Bar-B-Q. In the early nineties, Stubb's restaurant relocated to Austin, where it still is today. The restaurant is located downtown on the corner of Red River and 8th Street, housed in a rustic building with a huge backyard that holds thousands almost nightly for live music. Abundant Bar-B-Q, cold beer, and a live band in a casual setting (wear your cowboy boots) promises to be a lively evening.



Friday, April 23, 2010

RECEPTION HONORING WOMEN IN CONSTRUCTION

On Friday, April 23rd, the Forum encourages you to join us for a Reception Honoring Women in Construction. This reception is a great opportunity to visit with old friends from Forum meetings and to make new professional contacts among your peers throughout the country; open to all regardless of gender.

LYNDON B. JOHNSON PRESIDENTIAL LIBRARY & MUSEUM

The Lyndon Baines Johnson Library and Museum is one of thirteen presidential libraries administered by the National Archives and Records Administration. The library houses forty five million pages of historical documents which include the papers from the entire public career of Lyndon Baines Johnson and also from those of close associates. These papers and the vast administrative files from the presidency are used primarily by scholars. The museum provides year-round public viewing of its permanent historical and cultural exhibits. Special activities and exhibits are sponsored privately by the Friends of the LBJ Library and its parent organization, the LBJ Foundation.

Buses will leave at 1:00 pm

**Cost: \$10 per person for transportation to and from Library;
Admission to the library is free**

Saturday, April 24, 2010

GOLF TOURNAMENT

Join us for a round of golf at Avery Ranch Golf Club. Avery Ranch is Hill Country Golf at its finest! Conveniently located in northwest Austin, in the heart of the Texas Hill Country, former Jack Nicklaus designer, Andy Raugust, blended a spectacular up-scale golf course with natural limestone caverns, knobby live-oak trees, rolling hills, and meandering streams and lakes to create a golf experience that is unparalleled in the Austin area. Avery Ranch Golf Club is an award-winning golf course, having been voted "Best Overall Golf Course" by Avid Golfer Magazine in 2004 & 2005, as well as rated with 4 1/2 Stars and "Best Places to Play" by Golf Digest in 2008/2009.

Avery Ranch Golf Club web site: www.averyranchgolf.com

Cost: \$125 per person, includes greens fees

conference information

ADVANCE REGISTRATION

Please complete and return the attached registration form with your payment by March 26, 2010. If you wish to have your name appear on the pre-registration list distributed at the program, we must receive your registration no later than this date. We encourage you to register online at www.abanet.org/forums/construction. Conference registrations will only be accepted when accompanied by a check, Visa, American Express, or MasterCard information. Credit card registrations may be FAXED to the ABA Forum on the Construction Industry, at (312) 988-5677. Registrations cannot be held without payment.

ON SITE REGISTRATION

On site registration is available for those persons who missed the registration deadline. If you plan to register at the door, you must call (312) 988-5678 at least 72 hours before the conference to confirm that space is still available. Failure to call in advance may result in not being admitted to a sold out program. On site registration will only be accepted when accompanied by a check, money order, American Express, Visa or MasterCard information. Registrations will not be accepted without payment.

REGISTRATION CONFIRMATION

If you do not receive a written confirmation by April 1, 2010, please call Toni Cosey-Williams at (312) 988-5678 to verify that your registration form and check were received. Failure to call in advance of the program may result in not being admitted.

TUITION

Tuition includes admission to the program, coffee breaks, continental breakfasts, lunch, one ticket to the Annual Reception, and one set of program course materials. Lunch is limited to registrants, faculty and members of the press.

CANCELLATION POLICY

No refunds will be granted for cancellations received after March 26, 2010. To receive a refund (less a \$50 administrative fee), cancellations must be made IN WRITING and RECEIVED on or before March 26, 2010. Registrants who are unable to attend may send a substitute or receive course materials in lieu of a refund. The ABA reserves the right to cancel any programs, and assumes no responsibility for personal expenses.

HOTEL

The conference will be held at the Hilton Austin Hotel, 500 East 4th Street, Austin, TX 78701. Reservations can be made by calling the hotel directly at (512) 482-8000. A room block has been reserved for our attendees at a rate of \$219 a night single/double room per night. After March 22, 2010 at 5:00 CDT or when the room block is sold out, guest rooms at the special ABA rate are not guaranteed and may not be available. Please refer to the ABA Forum on the Construction Industry 2010 Annual Meeting when making your reservation. Individuals with guaranteed reservations must cancel their reservations 30 days prior to the scheduled day of arrival to avoid a one-night cancellation charge.

AIR TRANSPORTATION

Discounted airfares are available for travel to ABA Master Calendar meetings. ABA and Orbitz negotiated airfare discounts and web only fares are available to members at ABA Online Travel. Visit www.abanet.org and select ABA Online Travel under the ABA Calendar. Airfare discounts are available to all meeting attendees by calling the ABA's travel agency, Orbitz for Business, toll-free at (877) 222-4185.

CLE CREDIT

Accreditation has been requested for the conference from every state with mandatory continuing legal education (MCLE) requirements for its lawyers. Please be aware that each state has its own rules and regulations, including its definition of "CLE". Check your state agency for confirmation of this program's approval. Attorneys seeking to obtain MCLE credit in Louisiana and Pennsylvania are required to pay state accreditation fees directly to that state. Certificates of attendance will be available at the conclusion of this conference. For questions pertaining to the number of credit hours granted by each state, call (312) 988-5678 two or three weeks after the conference.

MEMBERSHIP

As an added bonus to new members, the membership tuition rate will be available to registrants who join the Forum on or before the first day of the program. For your convenience, a Forum membership form is included in the brochure. Membership dues are not deductible as charitable contributions for federal income tax purposes. However, such dues may be deductible as a business expense.

TAX DEDUCTION FOR EDUCATIONAL EXPENSES

In the United States, an income tax deduction may be allowed for educational expenses undertaken to maintain or improve professional skills. This includes registration fees, travel, meals, and lodging expenses. (see Treas. Reg. 1.162-5) (Coughlin vs. Commissioner 203 F 2d 307).

COURSE MATERIALS

If you are not planning to attend the program and wish to order the course materials, check the appropriate box on the registration form and send it with the appropriate fees. Allow approximately 3-4 weeks after the program for delivery.

SERVICES FOR PERSONS WITH DISABILITIES

If special arrangements are required for an individual with a disability to attend this program, please submit your request in writing to Mark Nagasawa, Forum on the Construction Industry, American Bar Association, 321 N Clark, MS 18.2, Chicago, IL 60654, or Fax to (312) 988-5677, no later than March 26, 2010.

FORUM ON THE CONSTRUCTION INDUSTRY WEBSITE

Website:
www.abanet.org/forums/construction/home.html

CELL PHONE POLICY

As a courtesy to speakers and attendees, we request that all cell phones and pagers be turned off in the meeting rooms.

Housing Deadline: March 22, 2010

Advanced Registration Deadline: March 26, 2010

program registration form

Please print or type

1. REGISTRANT INFORMATION

Last Name	First Name	M.I.
(Name as you wish it to appear on name badge)		ABA Member ID#
Firm/Company/Agency		
Address		
City	State	Zip
(Area Code) Business Phone Number	(Area Code) Business Fax Number	
E-mail Address		
Spouse or Guest (Print as you wish names to appear on badge)		

2. REGISTRATION FEES:

	ON OR BEFORE 3/26/10	AFTER 3/26/10
<input type="checkbox"/> General Attendees	\$775	\$825
<input type="checkbox"/> Forum Members	\$675	\$725
<input type="checkbox"/> Construction Litigation Member	\$675	\$725
<input type="checkbox"/> State Bar of Texas Construction Law	\$675	\$725
<input type="checkbox"/> Government/Academic/YLD	\$475	\$525
<input type="checkbox"/> Law Students	\$340	\$390
<input type="checkbox"/> New Member, First Time Attendees	\$500	\$550
<input type="checkbox"/> Forum 20-year Member	\$500	\$550
<input type="checkbox"/> In-House Counsel	\$475	\$525
Subtotal	\$_____	\$_____

Please check one if you are:
☐ Past Forum Chair (Complimentary)
☐ Past Governing Committee Member (50% discount)
☐ I am a First-Time Attendee
☐ I am a New Member

3. SOCIAL EVENT TICKETS:

Event:	Fee	Quantity	Total
Welcome Reception	N/A	_____	N/A
Spouse/Adult Annual Reception	\$65	_____	\$_____
Child Annual Reception (under 12)	\$30	_____	\$_____
Golf Tournament	\$125	_____	\$_____
Lyndon Johnson Presidential Library Bus Charter	\$10	_____	\$_____
Reception Honoring Women in Construction	N/A	_____	N/A
Reception for Young Lawyers	N/A	_____	N/A
Subtotal			\$_____

4. MEMBERSHIP APPLICATIONS:

☐ \$_____ Please enroll me as a member of the Forum on the Construction Industry. Membership fee (\$50 Regular/\$5 Law Student). I understand I must be a member of the ABA and at least one Section. I belong to the following Section(s):

5. MATERIALS ONLY:

☐ I will not be attending the seminars and wish to order program materials at \$150

6.TOTAL PAYMENT:

Total (Add subtotals 2, 3, & 4 or 5): \$_____

7. PAYMENT INFORMATION:

- ☐ Check (made payable to ABA) ☐ Money Order
☐ MasterCard ☐ American Express ☐ VISA
☐ Season Pass Voucher (please include voucher with registration)

Credit Card Number	Expiration Date
Signature	

8. THREE WAYS TO REGISTER:

ONLINE: www.abanet.org/forums/construction/home.html

MAIL: ABA Forum on the Construction Industry
321 N Clark Street, Chicago, IL 60654

FAX: (312) 988-5677

EDUCATIONAL REGISTRATION

THURSDAY, APRIL 22, 2010

7:00 – 8:30 a.m.

- ☐ Div. 11 – Corporate Counsel Breakfast and Program (Division 11 Members Only)
☐ First Timer's/New Member Breakfast
☐ Construction Litigation Committee Breakfast
11:15 – 12:15 p.m. (Make one choice)
☐ Workshop A: Public Private Partnerships or
☐ Workshop B: Foreign Exchange

FRIDAY, APRIL 23, 2010

8:00 – 9:30 a.m.

Division Breakfast Meetings (Make one choice)

- ☐ Div. 1 Dispute Avoidance & Resolution and
Div. 12 Owners & Lenders
☐ Div. 2 Contract Documents
☐ Div. 3 Design
☐ Div. 4 Project Delivery Systems
☐ Div. 5 Contract Negotiations, Performance & Administration
☐ Div. 6 Workforce Management and Human Resources
☐ Div. 7 Insurance, Surety, & Liens
☐ Div. 8 International Contracting
☐ Div. 9 Specialty Trade Contractors and Suppliers
☐ Div. 10 Legislation & Environment
11:15 a.m. – 12:15 p.m. (Make one choice)
☐ Workshop C: Pursuing Payment of Fees or
☐ Workshop D: The Cost of Litigation

SATURDAY, APRIL 24, 2010

9:45 – 10:45 a.m. (Make one choice)

- ☐ Workshop E: Consequential Damages or
☐ Workshop F: Collection of Judgments



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2010 FALL MEETING

September 2-3, 2010

Loews Miami Beach, Miami Beach, FL