

SUBCONTRACTORS, SUBCONSULTANTS, SUPPLIERS—OH MY!...

We Aren't in Kansas Anymore



January 17 – 19, 2018
Sanibel Harbour Marriott Resort & Spa
17260 Harbour Pointe Drive • Fort Myers, FL 33908

PROGRAMS
PUBLICATIONS
PEOPLE



**FORUM ON
CONSTRUCTION LAW**
Building the Best Construction Lawyers



Defending Liberty
Pursuing Justice

Program Summary

Dear Colleagues:

Onslaught of claims due to a rogue tornado? Winged monkeys got you down?

You don't need a crystal ball – we've got you covered. Leave those dreary gray winter skies behind. Follow the yellow brick road to the warm, technicolor beaches of sunny Fort Myers-Sanibel-Captiva, Florida. Join us for our 2018 Mid-Winter Program - "Subcontractors, Subconsultants, Suppliers – Oh My! ... We Aren't in Kansas Anymore", a unique journey over the rainbow to the world of subcontractors, subconsultants and suppliers from the perspective of all project participants.

Our thought leaders in construction law and practice will present a broad range of topics including these:

- Subcontractor liability for design;
- Managing the risk of non-performance during construction, and securing that risk through traditional bonding or subcontractor default insurance;
- Securing payment and available remedies under state and federal law;
- Overcoming or enforcing contract language relating to damages, including no-damages-for-delay, liquidated damages, and waivers of consequential damages;
- "Pass-through" claims: successful positioning, False Claims Act considerations, and avoiding the "winged monkey in the middle" position; and,
- Ethical issues in bidding and in contracting with M/W/DBEs.

Who should attend and why?

- **Litigators and Advocates** - No matter who your clients are, you will gain a broader understanding of the unique and complicated rights, duties, risks, and remedies involved in representing subcontractors, subconsultants, and suppliers on small and large projects alike. Attendees who represent owners and general contractors will gain insight into the unique risks involved in procuring and managing subcontractors, subconsultants, and suppliers from procurement through construction and warranty periods. Counsel will obtain critical understanding of a lower-tier's need to insulate itself from risk and achieve timely payment, as well as claims-avoidance strategies owners and general contractors may employ to share or push risk down to subcontractors, subconsultants, and suppliers.
- **Transactional and In-House Attorneys** - Learn about risk assessment and insurance, contract drafting pitfalls and negotiation strategies, requirements for documenting and releasing claims on troubled projects, and ethical considerations in bidding and presenting payment claims.
- **New Construction Lawyers** - This conference will provide you with a broader understanding of all aspects of construction law. Attend the practicum on Wednesday, January 17, and learn more about preparing and presenting your construction cases. As construction trial lawyers, we must distill technical and complex matters and present them in easily understood and relatable concepts. While we develop the case, we must also navigate the evidentiary and presentation issues that, as trial lawyers, routinely confront us. The practicum focuses on utilizing the fundamental building blocks to build your construction case whether prosecuting or defending one.

Don't miss your time in the sun to build your professional skills, collaborate with thought leaders in the construction industry, and enjoy a multitude of networking opportunities with other industry professionals and enjoy some time to relax in the sun.

Program Co-Chairs

Tracy L. Steedman

Adelberg, Rudow, Dorf & Hendler, LLC
Baltimore, MD

Y. Lisa Colon

Smith, Currie & Hancock LLP
Fort Lauderdale, FL

Governing Committee Liaison

Danielle J. Cole

Blueprint Construction Counsel, LLP
Atlanta, GA

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Wendy Kennedy Venoit

Hinckley Allen & Snyder LLP
Boston, MA

Immediate Past Chair

William M. Hill

Mintz Levin
Boston, MA

Chair-Elect

Thomas L. Rosenberg

Roetzel & Andress
Columbus, OH

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Skanska USA
New York, NY

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Los Angeles, CA

Arlan D. Lewis

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Devine Millimet & Branch PA
Manchester, NH

Patrick J. Poff

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Becker & Poliakoff PA
Orlando, FL

Angela R. Stephens

Stites & Harbison PLLC
Louisville, KY

John M. Cook

Smith Pachter McWhorter PLC
Tysons Corner, VA

Dan King

Frost Brown Todd LLC
Indianapolis, IN

Richard J. Wittbrodt

Gibbs Giden Locher Turner Senet & Wittbrodt LLP
Los Angeles, CA

William E. Franczek

Vanderventer Black LLP
Norfolk, VA

Program Schedule

WEDNESDAY, JANUARY 17, 2018

- 12:00 P.M. – 3:00 P.M. Advanced Registration**
- 2:00 P.M. – 5:00 P.M. Young Lawyers Practicum** (see full description on page 8)
- 3:00 P.M. – 5:00 P.M. On-Site Registration**
- 5:30 P.M. – 6:00 P.M. First Time Attendee Welcome and Kickoff**
(see full description on page 8)

THURSDAY, JANUARY 18, 2018

- 7:00 A.M. – 5:00 P.M. Registration & Exhibitors Area Open**
- 7:00 A.M. – 8:30 A.M. Continental Breakfast**
- 8:30 A.M. – 10:00 A.M. Guest & Spouses Breakfast** (see full description on page 9)
- 8:30 A.M. – 8:45 A.M. Welcome - Opening Remarks & Announcements**
Emerald City Project Groundbreaking

PLENARY 1

- 8:45 A.M. – 9:45 A.M. *Emerald City or Munchkin Land: Whose Design is it Anyway?***
This interactive session will discuss the varying degrees that subcontractors and subconsultants can (or cannot) be involved in design. The Panel will discuss what delegated design is and how it is implemented on a project from traditional shop drawings to the use of BIM modeling. The session will also discuss the project team's duties/liabilities with respect to delegated design and ways to improve design delegation.

Jennifer M. Kanady
FAC Services, LLC • Madison, WI

Kristine A. Kubes
Kubes Law Office, PLLC • Minneapolis, MN

Brad C. Parrott
Hudson Parrott Walker LLC • Atlanta, GA

- 9:45 A.M. – 10:00 A.M. Networking Break**

PLENARY 2

10:00 A.M. – 11:00 A.M. *Which Way to Oz? Subcontractor Default Insurance Versus Bonding*

This session will discuss the differences between SDI and bonding; the pros and cons of each; the current state of the market for SDI; and, what every contractor needs to know before jumping into SDI – the risks, rewards, and due diligence required to utilize SDI successfully. The Panel will also discuss alternate ways to protect against subcontract default (e.g. letters of credit; parent guarantees; “monitoring” programs; joint checks; lien waiver and release requirements; special payment terms), and will provide tips on preserving a payment bond claim.

Danette M. Beck

Marsh • Los Angeles, CA

Robert J. Dietz

Brigilia McLaughlin, PLLC • Vienna, VA

Eileen I. McKillop

Sedgwick LLP • Seattle, WA

11:00 A.M. – 11:15 A.M. *Networking Break*

PLENARY 3

11:15 A.M. – 12:15 P.M. *Is There a Yellow Brick Road When It Comes to Getting Paid: Ruby Slippers or a Broomstick?*

This session will discuss the negotiation of payment provisions, the enforceability of pay-when-paid/pay-if-paid clauses, state and federal payment remedies (including prompt payment statutes), trust fund statutes, and equitable liens. This session will also cover lien and claim rights in the context of lien waivers and change orders that include claim waiver language from the perspectives of owners, contractors, subcontractors, subconsultants, and suppliers, and explore why owners should care about subcontract payment provisions and retainage.

Carrie L. Ciliberto

Associated Subcontractors of Massachusetts, Inc.
Boston, MA

Nicole Lentini

Semmes, Bowen & Semmes PC • Baltimore, MD

Brian Schoolman

Safran Law Offices • Raleigh, NC

**12:30 P.M. – 1:30 P.M. *Diversity Lunch
Unlock Your Hidden Strengths***
Patrick Jephson

Former Private Secretary to Princess Diana

PLENARY 4

1:40 P.M. – 2:40 P.M.

Don't Let the Poppies Slow You Down: Flow-Down, Delay & Liquidated Damage Provisions

This session will discuss delay pitfalls unique to subcontractors; current trends in no-damages-for-delay clauses and their enforceability; subcontractor options and obligations regarding the schedule; why fast-track projects are claim-ridden; and, practical pointers for preserving claims and defenses while in the field. The Panel will also discuss how contractors, subcontractors, and subconsultants view the flow-down of liquidated and consequential damages, as well as how to track the flow-down of prime contract terms and conditions to subcontractors, subconsultants, and suppliers.

Kristin L. Altice

Shiel Sexton Company, Inc. • Indianapolis, IN

Kimberly R. Reome

The Kenrich Group LLC • Chicago, IL

C. Michael Shull

Frost Brown Todd LLC • Louisville, KY

2:40 P.M. – 2:55 P.M.

Networking Break

PLENARY 5

2:55 P.M. – 3:55 P.M.

Grabbing the Lion by the Tail: Pass Through and Liquidating Agreements

This Panel will discuss the ins and outs of traditional pass-through agreements included in subcontracts and liquidating agreements subsequently executed by the parties when claims arise – the meaning and intent of these agreements; owner defenses to pass-through claims; and, mistakes to avoid in negotiating and implementing these agreements, including failing to preserve defenses, reserve rights, or to prevent associated legal fees from undermining any meaningful savings by the contractor or recovery by the subcontractor. The Panel will address certifying subcontractor pass-through claims on public projects, potential pitfalls, and how to avoid liability under the False Claims Act and similar statutes. The Panel will close with a debate: When facing a complex dispute, who should the contractor settle with first? The owner? Or, the subcontractor?

Sean R. Calvert

Calvert Menicucci, PC • Albuquerque, NM

Tamara M. McNulty

Asmar, Schor & McKenna, PLLC • Washington, D.C.

Margery Newman

Bryce Downey & Lenkov LLC • Chicago, IL

3:55 P.M. – 4:10 P.M.

Networking Break

PLENARY 6

4:10 P.M. – 5:10 P.M.

Don't Let a House Land on You: Indemnities & Third Party Insurance

This session will focus on how owners, contractors, subcontractors, and subconsultants approach indemnities and additional insured coverage. The Panel will address the scope of indemnity provisions in subcontracts; the pros & cons of broad form indemnity provisions; arguments to use when negotiating contractual indemnity; and, how contractual indemnity provisions comes into play after litigation is filed. This session will also discuss how third-party insurance can cover such indemnities, and practical tips for securing payment from insurers.

Catherine Delorey
Oakland, CA

Scott P. Pence
Carlton Fields Jordan Burt, PA • Tampa, FL

J. Anthony (Andy) Penry
Penry Riemann PLLC • Raleigh, NC

5:10 P.M. – 5:15 P.M.

Closing Remarks & Announcements

6:00 P.M. – 8:00 P.M.

Welcome Reception (see full description on page 8)

FRIDAY, JANUARY 19, 2018

7:00 A.M. – 12:30 P.M. **Registration Open**

7:15 A.M. – 12:15 P.M. **Exhibitors Area Open**

7:15 A.M. – 8:30 A.M. **Division Breakfasts**

8:40 A.M. – 8:45 A.M. **Opening Remarks & Announcements**

PLENARY 7

8:45 A.M. – 9:45 A.M.

Ding, Dong, the Witch is Dead: Litigation & ADR

This high-level session will discuss the pros and cons of utilizing litigation versus arbitration as a means of resolving disputes among all project team members, as well as key considerations in drafting contractual requirements governing arbitration such as the applicable rules for the proceedings, ethical obligations, consent, venue, and arbitrator selection. The Panel will discuss the challenges faced in multi-tiered litigation; bringing subcontractors or subconsultants into dispute proceedings between the contractor and owner, and whether "sole discretion" arbitration clauses are enforceable against non-parties.

Philip L. Bruner
JAMS, Inc. • Minneapolis, MN

Tracy Thompson James
Hamilton Stephens Steele & Martin, PLLC • Charlotte, NC

Deborah Bovarnick Mastin
Law Office of Deborah Mastin, PLLC • Miami, FL

9:45 A.M. – 10:00 A.M. **Networking Break**

PLENARY 8

10:00 A.M. – 11:00 A.M. *But Is It Positively, Absolutely, Undeniably, and Reliably Dead? Warranties, Guarantees, Decennial Liability, and Statutes of Limitation & Repose*

How do traditional subcontractor-provided warranties and guarantees affect ongoing obligations or future liability? This session will discuss the pass-through of warranties and guarantees from subcontractor to contractor to owner, and whether the contractor is absolved of further liability for the work to which the warranty or guarantee applies. The Panel will also address statutes of limitation and repose. Do these statutes have teeth or does the judicial application of these statutes tell a different story – one where the subcontractor remains liable in near perpetuity due to contractual indemnity obligations, or through nullum tempus laws exempting claims by certain governmental entities in those jurisdictions from statutes of limitation or repose.

David L. Fine

Mirick, O'Connell, DeMallie & Lougee, LLP
Worcester, MA

Ryan M. Manies

Polsinelli, PC • Kansas City, MO

Lauren P. McLaughlin

BrigliaMcLaughlin, PLLC • Vienna, VA

11:00 A.M. – 11:15 A.M. Networking Break

PLENARY 9

11:15 A.M. – 12:15 P.M. *Behind the Curtain: What Every Contractor, Subcontractor, and Their Counsel Needs to Know about Business Ethics & Compliance*

This session will discuss the ethical obligations of contractors and subcontractors, and why these obligations are important to owners. The Panel will address the broad reach of these obligations throughout the life cycle of a construction project – in bid preparation and submissions; in contracting and subcontracting; in the direct or indirect submission of various requests, applications, and reports to governmental and quasi-governmental entities; meeting job-specific diversity goals; proper use of M/W/DBEs; and, the dangers of false or fraudulent claims. The Panel will also address ethics compliance programs and the potential consequences of ethical or legal violations.

Tomas A. Kuehn

BrightView Landscapes, LLC • Los Angeles, CA

Lori Ann Lange

Peckar & Abramson, PC • Washington, D.C.

Patricia H. Thompson

JAMS, Inc. • Coral Gables, FL

12:15 P.M. – 12:20 P.M. Program Closing Remarks

12:30 P.M. – 1:45 P.M. Women's Networking Luncheon
(see full description on page 8)

3:00 P.M. – Close Afternoon Sun & Fun (see full descriptions on page 9)
Friday Afternoon Beach Party at Doc Ford's on Fort Myer's Beach
Kayak Trail Tour through Tarpon Bay
Tennis Clinic on site
Separate Registrations Required

Special Events

Wednesday, January 17, 2018

2:00 P.M. - 5:00 P.M.

Young Lawyer Practicum

Construction cases are technical and complex matters that may not be easily understood by the Jury or even the Judge or Arbitrator. As construction trial lawyers, we must distill such technical and complex matters and present them in easily understood and relatable concepts. While we develop the case, we must also navigate the evidentiary and presentation issues that, as trial lawyers, routinely confront us. The practicum focuses on utilizing the fundamental building blocks to build your construction case whether prosecuting or defending one. **Separate Registration Fee: \$75 per person**

Sponsored by: Division 1 - Litigation and Dispute Resolution, Young Lawyers Division, and the Forum Leadership Circle

5:30 P.M. - 6:00 P.M.

First Time Attendee Welcome & Kickoff

This special event welcomes those attending their first Forum meeting, and welcomes back any who are attending for the first time in five or more years. All Kickoff attendees are invited to a reception immediately following the event.

Thursday, January 18, 2018

12:30 P.M. - 1:30 P.M.

Diversity Lunch

Patrick Jephson, former Chief of Staff to HRH The Princess of Wales, will share how Princess Diana expressed her vision and direction under the tough scrutiny of the Royal Family. Mr. Jephson will discuss ways to build a personal brand using real life examples from his days with Princess Diana. Mr. Jephson is a published authority on corporate and personal branding. He is also a New York Times bestselling author and award-winning international feature writer. For 8 years, he was Princess Diana's private secretary (Chief of Staff), responsible for every aspect of her public life and private organization. Under relentless media scrutiny, his tenure covered the period of Princess Diana's greatest popularity as well as the constitutional controversy of her separation from Prince Charles.

6:00 P.M. - 8:00 P.M.

Welcome Reception

Come and enjoy meeting and reconnecting with Forum members. Enjoy drinks and hors d'oeuvres, while memorializing the event in the photo booth. A live band will entertain us with 80's rock tunes for another level of fun. Guest tickets are available to be purchased at the time of registration.

Friday, January 19, 2018

12:30 P.M. - 1:45 P.M.

Women's Networking Luncheon

Join us for networking with the women of the Forum. The Women's Committee will be honoring, for the first time, an Unsung Heroine of the Forum. The award is given to a woman who has made outstanding contributions to the Forum and recognizes the honoree for her previously unnoted yet valuable contribution to the Forum. For the inaugural award, come celebrate the contributions of A. Elizabeth ("Lizz") Patrick.

Social Events

Thursday, January 18, 2018

8:30 A.M - 10:00 A.M.

Guest & Spouses Breakfast and Conversation

Stop by to enjoy breakfast and conversation with Forum guests, spouses and families.

Separate Registration Fee: \$30 per person

Friday, January 19, 2018

2:00 P.M - 4:00 P.M.

Tennis Clinic on Site

Join Forum meeting attendees, guests, and Marriott Tennis instructors to improve and learn new techniques to elevate your game. Please specify beginner, intermediate, or advanced when registering.

Separate Registration Fee: \$48 per person - rackets and beverages included

2:00 P.M. - 4:00 P.M.

Kayak Trail Tour through Tarpon Bay

Enjoy kayaking through the calm waters of Punta Rassa Cove on either a single or double kayak. The mangrove forests provide plenty of sights and sounds from the local wildlife. Your guide will educate your group on the wildlife such as Dolphins, manatees, fish, and various coastal birds. You'll be amazed how close you can get to nature while on a kayak. Beginners are welcome. The cost of the guided kayak tour is \$50.00 per person. The tour is 60 minutes long.

The Forum has arranged for a discounted rate for anyone interested in taking a guided Kayak Tour through Tarpon Bay – immediately adjacent to the Marriott. This is not a ticketed event, and should be booked directly with the tour company, **239-220-2106** and register for the ABA Forum on Construction Law group. Availability will be determined on a first come first serve basis. **Separate Registration Fee: \$50 per person**

3:00 P.M. - Close

Afternoon Sun & Fun Beach Party

Join your Forum Friends and Colleagues for an afternoon of Sun and Fun at Fort Myer's Beach. The Forum has reserved a private party room at Doc Ford's, where attendees can come to socialize, have a bite to eat, listen to music and enjoy cocktails. Doc Ford's is also close to beautiful Fort Myers Beach and nearby shops.

Separate Registration Fee: \$20 per person

Saturday, January 20, 2018

8:00 A.M. - 1:30 P.M.

Golf Scramble

Dunes Country Club, Sanibel Island

Forum Golf Scramble.

Separate Registration Fee: \$105

Forum on Construction Law Diversity Initiatives

New Forum Diversity Initiative

The Forum will waive the registration fee for the first ten Forum members who register for each of the three national meetings of the Forum during the 2017 - 18 bar year who also register and bring along a diverse lawyer to his or her first national meeting of the Forum (a "first timer"), whose registration fee will also be waived. It could be a diverse young associate in the member's office or a diverse lawyer on the other side of a case.

The Forum member and the first timer must both commit to attend the program (offer limited to one per Forum member per bar year). In order to take advantage of this offer, Forum members must contact Tamara Harrington prior to registering for the program.

Tamara.Harrington@americanbar.org

Forum Diversity Scholarship Opportunity

The Forum has **Diversity Scholarships** available for women and minority construction lawyers, construction lawyers with disabilities, and construction lawyers from the LGBT community for the cost of registration to the Forum's 2018 Midwinter Meeting. See the Forum website under the announcement section or contact David Theising at DTheising@harrisonmoberly.com for more information.

Conference Information

- ▶ **AIR TRAVEL:** Airfare and car rental discounts for ABA meetings are available through Agencia and Hertz. Go to www.americanbar.org/membership/aba_advantage_discounts.html for more information.
- ▶ **PROGRAM REGISTRATION:** Online at ambar.org/FCLMID18 or complete and return the attached registration form with your payment before December 29, 2017. Conference registrations will only be accepted when accompanied by a check or credit card. Credit card registrations may be FAXED directly to the ABA at 312-988-5850. Registrations cannot be processed without payment. If you do not receive a written confirmation by January 3, 2018 please call the ABA at 800-285-2221 to verify that your registration form and payment were received.
- ▶ **ON-SITE REGISTRATION:** On-site registration is available for those who miss the registration deadline. If you plan to register at the door, you must email Keishia.Jones@americanbar.org 72 hours before the conference to confirm that space is still available. No cash payments accepted.
- ▶ **SCHOLARSHIP:** A limited number of scholarships to defray tuition expenses are available for qualifying attorneys at a 50% reduction in the course fees over \$500. To request an application or receive additional information, please contact at Tamara.Harrington@americanbar.org. Please note all scholarship applications must be received no later than 30 days prior to the program presentation.
- ▶ **CLE CREDIT:** The ABA directly applies for and ordinarily receives CLE credit for ABA programs in AK, AL, AR, AZ, CA, CO, CT, DE, FL, GA, GU, HI, IA, IL, IN, KS, KY, LA, MN, MP, MS, MO, MT, NH, NM, NV, NY, NC, ND, OH, OK, OR, PA, SC, TN, TX, UT, VT, VA, VI, WA, WI, and WV. These states sometimes do not approve a program for credit before the program occurs. This course is expected to qualify for 10 CLE credit hours in 60-minute states, and 13 CLE credit hours in 50-minute states. This transitional program is approved for both newly admitted and experienced attorneys in NY. Attorneys may be eligible to receive CLE credit through reciprocity or attorney self-submission in other states. For more information about CLE accreditation in your state, visit www.americanbar.org/groups/construction_industry or contact Tamara Harrington by email at Tamara.Harrington@americanbar.org.

Sponsors and Exhibitors

Visit Forum Sponsors in the Exhibitors Area! The Forum Exhibitors Area brings a variety of companies together in one place with capabilities fitting the unique needs of construction lawyers. The Exhibitors Area will be open Thursday, January 18, 7:00 AM – 5:00 PM and Friday, January 19, 7:30 AM – 12:00 PM. Thanks to all of the Forum Sponsors for their continued support of the Forum!



Hotel Information

The conference will be held at the Marriott Sanibel Harbour. Individuals who have already registered to attend the conference may reserve a room in the limited block set aside for conference registrants and take advantage of Forum negotiated rates starting at \$244/night (plus tax). The deadline to reserve a room at the conference rate is December 19, 2017, 5:00 pm (CST) or when the Forum's room block is exhausted. After registering for the conference, there will be a link to book your hotel room online or you can contact the hotel directly at 800.767.7777 and reference ABA Forum on Construction Law.

Book your group rate for ABA Forum on Construction Law 2018 Midwinter Meeting

FORUM COMMUNICATION:

By registering for this program you consent to being contacted about the Program by the ABA, program planning teams and Forum leadership, and understand registrants name, address, email and phone number are shared in the Meeting Attendee Directory.

Conference Information

▶ **MEMBERSHIP:** Already an ABA member? Join the Forum for \$60 at ambar.org/constructionlaw.

PRIVACY NOTICE: Registration for, attendance at, or participation in the Forum conferences and other associated activities constitutes an agreement by the registrant or participant to permit the American Bar Association to use and distribute (both now and in the future) the registrant or participant's image or voice in photographs, videotapes, electronic reproductions, and audiotapes of such event and activities.

▶ **COMMUNICATION NOTICE:** Sharing Your Email Address Pursuant to ABA Policy: Your email address will only be used by the ABA and its entities. We do not sell or rent email addresses to anyone outside the ABA. The ABA will also not share email addresses to unrelated third-parties, affiliates or ABA members. Please understand, however, that your email address may be visible to other attorneys, others who have interest in the legal profession and ABA events, as well as the general public through Directory Lists as set forth above. The ABA may also share your email address with third parties to enable the ABA to take security measures to help protect against unauthorized access to or unauthorized alteration, disclosure or destruction of data. Finally, the ABA may share email addresses with third parties as necessary for the ABA to perform certain services on our behalf, such as packaging, mailing and delivering products and processing event registrations and to respond to your service requests.

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▶ **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. Sec. 1.162-2) *Coughlin v. Commissioner*, 203 F.2d 307 (2nd Cir. 1953).

▶ **AMERICANS WITH DISABILITIES ACT:** If special arrangements are required for disabled individuals to attend this program, please contact the Forum in writing by September 1, 2017 at the American Bar Association, 321 N. Clark Street, Chicago, Illinois 60654. Fax: 312-988-5677. Email Tamara.Harrington@americanbar.org.

QUESTIONS: If you have questions or require additional conference information, please call 312-988-5674 or email Tamara.Harrington@americanbar.org.

CANCELLATION POLICY:

No refunds will be granted for cancellations received after December 20, 2017. To receive a refund, minus a \$50 administrative fee, cancellations must be made IN WRITING and RECEIVED by Tamara. Harrington@americanbar.org.

Florida is first in fun and sun when the ice and snow overpower the frigid north. Enjoy the warm water and white sand beaches of Fort Myers Beach, Sanibel, and Captiva with your family. The area is known to provide the best shelling in North America for first-time collectors and seasoned shelling sleuths alike – courtesy of the Gulf Stream which deposits more than 250 types of shells. Stroll the boardwalk as it winds from the 19th-century Sanibel Lighthouse through the marshes. Water sports opportunities abound, along with and golf outing on Saturday.



Program Registration

Advanced Registration Deadline: December 8, 2017

ABA Forum on Construction Law 2018 Midwinter Meeting

FOUR WAYS TO REGISTER



Online at ambar.org/constructionlaw



Fax your form to (312) 988-5850



Call 1.800.285.2221



Mail the completed registration form to the American Bar Association
Attn: Service Center — Meeting/Event Registrations – C10118
321 N. Clark St, Fl. 16 Chicago, IL 60654

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1. REGISTRANT INFORMATION

LAST NAME _____ FIRST NAME _____ M.I. _____

NAME AS YOU WISH IT TO APPEAR ON ATTENDEE LIST AND NAME BADGE ABA MEMBER ID# _____

FIRM / COMPANY / AGENCY _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

(AREA CODE) BUSINESS PHONE NUMBER _____ (AREA CODE) BUSINESS FAX NUMBER _____

EMAIL ADDRESS _____

2. REGISTRATION FEES

	Before or On 12/8/2017	After 12/8/2017
Non-ABA Member	<input type="checkbox"/> \$800	<input type="checkbox"/> \$880
ABA Member	<input type="checkbox"/> \$700	<input type="checkbox"/> \$760
Forum Member	<input type="checkbox"/> \$580	<input type="checkbox"/> \$640
First Time Attendee, New Member, and YLD (Email for Discount.)	<input type="checkbox"/> \$455	<input type="checkbox"/> \$505
In-House/Government/Academic	<input type="checkbox"/> \$400	<input type="checkbox"/> \$460
Past Forum Governing Committee (Email for Discount.)	<input type="checkbox"/> \$385	<input type="checkbox"/> \$450
Law Student	<input type="checkbox"/> \$65	<input type="checkbox"/> \$65
Welcome Reception (Guest Tickets)	<input type="checkbox"/> \$65	<input type="checkbox"/> \$65
Young Lawyer Practicum	<input type="checkbox"/> \$75	
Friday Afternoon Beach Party at Doc Fords, Fort Myers Beach	<input type="checkbox"/> \$20	
Friday Afternoon Tennis Clinic at Marriott Tennis Courts	<input type="checkbox"/> \$48	
Saturday Golf Scramble	<input type="checkbox"/> \$105	
Materials Only (I will not be attending and wish to order program materials.)	<input type="checkbox"/> \$150	
Enroll me as a member of the Forum on Construction Law (Regular)	<input type="checkbox"/> \$60	
Enroll me as a member of the Forum on Construction Law (Law Student)	<input type="checkbox"/> \$0	

20% Discount Offer for Registrants - Construction Subcontracting: A Comprehensive Practical and Legal Guide. Forum Member • \$127.95, ABA Member • \$143.95, Non ABA • \$159.95.
To receive the Discount Code email Tamara.Harrington@americanbar.org.

3. PAYMENT INFORMATION

- Check (made payable to American Bar Association Forum on Construction Law C10118)
- Credit Card: MasterCard American Express Visa Discover

CREDIT CARD # _____ EXPIRATION DATE _____ CVV _____

NAME ON CARD _____

SIGNATURE _____

Connect with the Forum on Social Media



SUBCONTRACTORS, SUBCONSULTANTS, SUPPLIERS—OH MY!...

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January 17 – 19, 2018

Sanibel Harbour Marriott Resort & Spa
17260 Harbour Pointe Drive • Fort Myers, FL 33908

PROGRAMS
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FORUM ON
CONSTRUCTION LAW
Building the Best Construction Lawyers



American Bar Association
321 North Clark Street MS 18.2
Chicago, IL 60654
ambar.org/constructionlaw

Save the Date for Future Programs

Trial Academy

February 8 - 10, 2018
Dallas, TX

2018 Annual Meeting

April 11 - 13, 2018
New Orleans, LA

2018 Fall Meeting

October 3 - 5, 2018
Montreal, Canada

