



Kenneth C. Gibbs, Esq.

Construction

Recognized by the legal publication *Chambers USA* as a "construction law guru" and "a leading figure in the field of mediation," Ken Gibbs has been awarded with its highest level ranking of "Band 1" for construction. He understands the financial, political, and other pressures facing the parties in construction and infrastructure disputes, and quickly assesses the strengths, weaknesses, and nuances of a case.

Mr. Gibbs' comprehensive knowledge of the construction process puts him in a unique position when conducting mediations and arbitrations. His aptitude to truly empathize and understand the positions and attitudes of all parties comes from his more than 25 years of practice devoted exclusively to the representation of virtually every type of entity involved in construction including public and private owners/developers, general contractors, subcontractors, material suppliers, and design professionals in all aspects of construction law, including procurement, contract negotiations, litigation, mechanic's liens, and claim preparation and defense.

Mr. Gibbs literally "wrote the book" on construction law being the co-author of *California Construction Law*, one of the most cited treatises on the subject. He's also been an Adjunct Professor of Construction Law at Loyola Law School.

Representative Matters

- **Mediation of Complex Public/Private Construction Projects:**
 - **Mediated more than 2,500 construction** delay, disruption, acceleration, defect and breach of contract matters, ranging from two-party disputes to matters involving 40 or more parties
 - **Stadiums:** Resolved disputes involving stadiums in Seattle, San Diego, Pittsburgh, and Oakland; issues involved claims of cost overruns
 - **Public Infrastructure Projects:** Resolved disputes involving transit light rail in Seattle, Las Vegas monorail project, tunneling through San Bernardino Mountains project, seismic retrofit of Golden Gate Bridge, numerous heavy construction projects such as dams, roads, and highways
 - **Public Buildings:** Resolved disputes involving hospitals, prisons, water treatment plants, power plants, schools, and universities
 - **Private Building Projects:** Resolved disputes involving high rise office buildings, major hotels, high rise condominiums, and private hospitals
- **Project Neutral:** As a project neutral, Mr. Gibbs works with parties to resolve disputes that develop during construction and infrastructure projects and also works with parties to anticipate and resolve issues that may arise in the future. Projects he has worked on as a project neutral include hospitals, hotels, and office buildings.
- **Subrogation and Coverage Disputes:**
 - Mediated many subrogation claims involving fires, landslides, and other losses
 - Mediated many coverage disputes between and among insurance carriers
- **Surety Disputes:** Numerous claims involving sureties on payment and performance bonds
- **Arbitration of Complex Public/Private Construction Projects:**
 - Arbitrated more than 200 construction, insurance, surety, and business matters including numerous construction defect, delay, disruption, and breach of contract matters
 - Arbitrated more than 50 public agency disputes
 - Arbitrated numerous public agency disputes as a member of a special panel established by the State of California Office of Administrative Hearings

Honors, Memberships, and Professional Activities

- Designated with the highest level ranking (Band 1) in Construction, *Chambers USA*, 2005-2014
- Recognized as a Best Lawyer, Alternative Dispute Resolution Category, *Best Lawyers in America*, 2011-2015
- Selected as a Southern California Super Lawyer in the field of Alternative Dispute Resolution, 2004-2013
- Robert Flaig Award, Construction Subsection of the Los Angeles County Bar Association, 2009
- Recognized as a leading practitioner, Alternative Dispute Resolution Category, *Who's Who Legal:*



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"Universally acclaimed as one of the best practitioners out there."
- *Chambers USA*

"The leading authority on construction arbitration"

"Did an absolutely fantastic job in extremely trying circumstances"
- *Quotes from peers and clients in Who's Who Legal California, 2009*

Selected as a Southern California Super Lawyer in the field of Alternative Dispute Resolution, 2004-2013

Designated with the highest-level ranking (Band 1) in construction, Chambers USA 2005-2014

Case Manager

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California, 2009-2014

- Recognized as a Top 40 California Neutral, *Daily Journal*, 2008 and 2011
- Fellow, The American College of Construction Lawyers
- Member, State Bar of California, Real Property Section, Construction Law Subsection
- Member, State Board of Directors, Associated General Contractors of California, 1989-1991
- Member, American Bar Association, Public Contract Law Section
- Member, American Bar Association, Forum Committee on the Construction Industry
- Member, Los Angeles County Bar Association, Real Property Section and Construction Law Subsection
- Arbitrator, State of California Public Works Arbitration Panel
- Former member, Large and Complex Case Panel, American Arbitration Association
- Author of numerous construction law publications, co-author of *Construction Change Order Claims*, 2nd Ed., Aspen Law and Business, 2005; co-author of *California Construction Law*, Aspen Law and Business, 2011; Board of Editors, *California Construction Law Reporter*, Shepards McGraw-Hill
- Adjunct Professor of Law, Loyola Law School
- Speaks nationally on various construction law topics at leading seminars and conferences, including Principal Speaker at:
 - West Coast Casualty Construction Defect Seminar, 2004-2006
 - Construction Law Super Conference, 1991, 1996, 1997, 2000, 2001, 2002, 2003, 2005, and 2006
 - Law Seminars, California Continuing Education of the Bar, 1988-2001
- "[Building Bridges](#)," ADR Profile, *Daily Journal*, July 1, 2011

Background and Education

- Founding Partner, Gibbs, Giden, Locher, & Turner LLP, 1988-2006
- Partner, Wickwire, Gavin & Gibbs, 1978-1988
- Partner, Most, Bertram & Gibbs, 1976-1978
- Associate, Most & Bertram, 1974-1976
- J.D., University of California Los Angeles (UCLA) Law School
- A.B., *magna cum laude* and *Phi Beta Kappa*, University of California, Berkeley