

BRAD C. FRIEND

ASSOCIATE



Education

West Virginia University College of Law
(J.D., 2003)

University of Florida (B.A., with honors, 1999)

Licenses & Admissions

Commonwealth of Virginia

Commonwealth of Pennsylvania

District of Columbia

State of Iowa

State of Maryland

State of West Virginia

U.S. District Court for the Eastern District
of Virginia

U.S. District Court for the Western District
of Virginia

U.S. Court of Appeals for the Fourth Circuit

D.C. Court of Appeals

U.S. Bankruptcy Court for the Eastern District
of Virginia

U.S. District Court for the District of Mary

Professional Affiliations

Virginia Bar Association

District of Columbia Bar Association

Maryland Bar Association

Publications & Presentations

Bailey v. Norfolk and Western Railway Co.:

Creating a 'Collateral Victim' Doctrine Under
the West Virginia Human Rights Act, **106 W.Va.
L. Rev. 417 (2004).**

The EPA's New Effluent Guidelines for
Construction Sites: Troubled Waters for
Contractors and Developers, **Virginia Bar
Association News Journal, Vol. 37,
No. 2, 20-21, Summer 2010.**

Presenter and Co-Author, American Recovery
and Reinvestment Act: Impact to the
Commonwealth and Virginia Construction Law-
yers, 31st Annual Virginia State Bar
Construction & Public Contracts Law Section CLE,
Charlottesville, Virginia, November 2010.



Brad's practice focuses on construction law litigation and contracts. Brad has over ten years of in-depth experience in representing clients in connection with complex construction disputes in multiple states. Brad's extensive construction litigation experience includes highway and commercial construction disputes, delay and disruption claims, geotechnical issues and differing

site conditions, wastewater treatment facilities, dam construction, bridge construction and design issues, environmental and erosion control issues, HVAC and electrical systems, drywall and interior finishes, concrete issues, commercial general liability and builders' risk insurance, government contracts, state and federal bid protests, claim preparation, mechanic's liens, performance and payment bond issues, and contract drafting.

Prior to practicing construction law, Brad gained experience in general litigation on matters involving employment law, bankruptcy, lease agreements, landlord-tenant disputes, secured transactions, business formation, real estate, zoning, and creditor's rights.

Brad has successfully represented both large and small contractors, subcontractors and owners in complex construction litigation from claim preparation and filing of the lawsuit through discovery, mediation, arbitration and trial. Brad has extensive trial experience in the state courts of Virginia and extensive experience in settlement negotiations.

Some of the construction and government contracts matters Brad has handled include:

- Lead Counsel in defending a contractor for alleged damages and delays relating to termination;
- Lead Counsel in case involving damage to sewer pipes in the District of Columbia;
- Lead Counsel in defending a contractor against a Surety regarding a takeover agreement;
- Lead Counsel on several bid protests before the GAO;
- Co-Counsel in arbitration of a contract dispute involving transcontinental oil pipeline;
- Assisted in the preparation of two multi-million dollar global impact and delay claims for a large highway contractor against a State Department of Transportation;
- Assisted in complex bid protest issues, including preparation of bid protests under the Virginia Public Procurement Act and Federal Law;
- Co-counsel to prepare a Mistake-In-Bid claim relating to a U.S. Embassy project;
- Lead Counsel to challenge the timeliness of claim notice before an Administrative Law Judge on a Federal project;
- Co-counsel litigating against a State Department of Transportation, including discovery preparation, conducting depositions and preparation for mediation and trial;
- Co-counsel to defend a contractor in litigation alleging defective work relating to a roof collapse;
- Lead Counsel in case against a third-party inspection firm for delays to a construction project;



- Lead Counsel for the defense of a contractor against the alleged breach of waste pit agreement;
- Co-counsel to defend a contractor against alleged defective work and delay damages arising out of the renovation of a State Capitol building;
- Lead Counsel in case involving termination and replacement of subcontractor for Nuclear Power Plant project;
- Co-Counsel in litigation regarding defects to Jet Aeration and Mixing Equipment for waste water treatment facility;
- Co-Counsel in lawsuit defending Owner against differing site condition claim relating to a dam construction project;
- Lead Counsel in litigation in the District of Columbia defending contractor against delay and disruption claim from subcontractor;
- Co-Counsel in litigation involving defects to turbine for hydroelectric power plant;
- Co-Counsel in dispute involving teaming agreement for federal contracts;
- Lead Counsel in lawsuit defending contractor regarding alleged defects to bridge beam fabrication;
- Co-Counsel in lawsuit defending Owner against alleged mistake-in-bid relating to waste water treatment facility;
- Lead Counsel in litigation involving differing site condition due to increased rock quantity;
- Lead Counsel in resolving mechanics lien dispute for hospital facility;
- Lead Counsel in defending contractor against subcontractor's inefficiency claim;
- Lead Counsel in case regarding alleged defective work for project to renovate the state capitol of Virginia;
- Lead Counsel for bid protest in the District of Columbia Board of Contract Appeals and
- Co-Counsel regarding contract negotiation for maintenance of new private toll road on Capitol Beltway.



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