



Michael S. McNamara

Partner

Michael McNamara's practice focuses on construction litigation. He has handled major trials of multimillion-dollar construction disputes and has represented owners, contractors and construction managers in many other cases successfully resolved in settlement. His experience includes delay and impact claims, extra work claims, non-payment claims and defective construction claims. Many of his cases have involved complex engineering and construction issues. He has also represented clients in alternative dispute resolution, including both mediation and arbitration.

Michael S. McNamara

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ADMISSIONS

District of Columbia
Washington

EDUCATION

Washington University in St. Louis
School of Law (JD, 1998)

Duke University (AB, 1994)

REPRESENTATIVE MATTERS

- *Titan Stone, Tile & Masonry, Inc. v. Hunt Construction Group, Inc.*
Represented prime contractor in defense of subcontractor's claims for fraud, breach of contract, tort and statutory claims. Following motions practice the majority of the subcontractor's claims were dismissed. After a bench trial in federal district court in New Jersey, the court rejected the subcontractor's claims and entered a substantial judgment in favor of the prime contractor and, in addition, awarded the prime contractor its attorneys' fees.
- *MBC v. DynCorp International.* Defended government contractor in federal court litigation brought by subcontractor seeking \$26m in total damages. Subcontractor sought compensatory damages of \$16m for wrongful termination, fraud, assault, violations of the Alien Tort Claims Act, tortious interference with contractual relations and false imprisonment. Plaintiffs sought another \$10m in punitive damages. Successfully dismissed counts associated with Alien Tort Claims Act, and obtained denial of partial summary judgment motion on several other counts. After discovery was completed and just prior to trial, the parties successfully mediated all issues. The settlement terms are confidential, but the client was very pleased with the result.
- *American Bridge Company v. Virgin Islands Port Authority.* Represented owner against contractor's delay and wrongful termination claims and on owner's counterclaim for defective construction and construction delays. After court denied contractor's summary judgment motion, parties entered settlement agreement resulting in substantial payment to owner.

COURTS & ADJUDICATIVE BODIES

- United States Court of Appeals for the Third Circuit
- United States Court of Appeals for the Ninth Circuit

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- United States Court of Appeals for the District of Columbia Circuit
- United States District Court for the District of Columbia
- United States District Court for the Eastern District of Washington
- United States District Court for the Western District of Washington