



Clark T. Thiel

Partner

Clark Thiel's practice is concentrated primarily on construction project and contract dispute resolution, including mediation, arbitration, and litigation. His work includes prosecuting and defending multimillion-dollar complex construction disputes in the areas of delay and acceleration claims, breach of contract, professional liability, design and construction defects, economic loss, and liens and encumbrances. Mr. Thiel also assists clients in drafting and negotiating design and construction contracts.

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ADMISSIONS

California
 Nevada

EDUCATION

University of California, Davis
 School of Law (JD, 1997)

UC Davis Law Review, Editor-in-Chief (1996-97)

University of Wisconsin - Madison
 (MArch, 1988)

University of Wisconsin - Madison
 (BS, Architecture, 1984)

In addition to offering traditional construction counseling, Mr. Thiel possesses extensive knowledge of copyright, trademark, licensing, and trade secret issues specific to the construction industry, and advises building owners, general contractors, subcontractors, architects, engineers, and other design professionals on anticipating and managing the associated risks inherent in the construction process. He serves as an arbitrator of construction disputes, has authored a number of articles on the subject of construction claims and damages, and is a frequent speaker on the topic.

Mr. Thiel is also a licensed contractor and registered architect, is accredited by the National Council of Architect Registration Boards, and is licensed to practice architecture in California, Hawaii, and Wisconsin. In his lengthy tenure as a practicing architect, Mr. Thiel was involved in all phases of the design and construction of civic, commercial, and residential projects throughout the United States and Asia. In addition to providing design and construction documentation services on a variety of building types, including convention centers, sports arenas, correctional facilities, resort hotels, and apartment and condominium complexes, Mr. Thiel has performed on-site construction administration services for complex projects such as the Crescat Residences and Shopping Complex in Colombo, Sri Lanka (a luxury condominium hotel and shopping center, complete with pools, salons, spa, grocery store, and Sri Lanka's first underground parking structure); and ShadowRidge, a forty-four unit hillside townhouse development in Honolulu, Hawaii.

COURTS & ADJUDICATIVE BODIES

- United States Supreme Court
- United States Court of Appeals for the Ninth Circuit
- United States District Court for the Eastern District of California

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- United States District Court for the Northern District of California
- United States District Court for the District of Nevada

PROFESSIONAL AFFILIATIONS

- Member, American Bar Association, Forum on the Construction Industry
- Member, American Institute of Architects
- Member, Bar Association of San Francisco
- Member, Barristers' Club Construction Law Committee
- Registered Architect, California, Hawaii, and Wisconsin
- Licensed Contractor, California

COMMUNITY SERVICE

- Member, Second Unit Task Force, City of Piedmont, CA (2003)
- Planning Commissioner, City of Piedmont, CA (2004 to Present)

PUBLICATIONS & SPEAKING ENGAGEMENTS

ARTICLES

"Litigating Intellectual Property Claims." *Construction Checklists* (2008).

"Design Build Contractor's Lien Rights Under California Law?" *ConstructionWebLinks Business Bulletin* (November 2005).

"Nevada Recognizes Exceptions to 'No Damages for Delay' Clause." *The Construction Lawyer, Hardhat Case Notes* (Summer 2005).

"Construction Lender Required to Pay Contractor for Value of Work Performed." *ConstructionWebLinks Business Bulletin* (September 2004).

"The Architectural Works Copyright Protection Gesture of 1990, or, 'Hey, That Looks Like My Building'" *7 DePaul-LCA Journal of Art; Ent. Law* (1996).

SPEECHES

"Legal Implications of the AIA 2007 Contract Revisions." Strafford Publications (December 2008).

"The Design Professional's Legal and Ethical Obligations in the Design-Build Context." 2008 Design-Build Conference and Expo (November 2008). Las Vegas, NV.

"Construction Documentation: Preparing Effective Job Records." Lorman Educational Services (August 2008).

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"Emerging Issues in Civil False Claim Act Cases." Associated General Contractors of California Legal Retreat (October 2007).

"Preventing Construction Claims in California." Lorman Educational Services (December 2006). Oakland, CA.