



Robert B. Thum

Partner

Robert Thum has specialized in engineering and construction law since 1974, providing contract advice and dispute resolution services for owners (public and private), engineers, general contractors and major trade subcontractors. He has litigated and arbitrated a wide variety of cases involving major infrastructure projects (dams, highways and bridges, power plants, rail, airports and water treatment plants), as well as refineries, industrial plants, hospitals, schools, and high-rise buildings. Mr. Thum is a member of the American Arbitration Association's National Panel of Construction Arbitrators. For over 20 years he has participated in Alternative Dispute Resolution of engineering and construction disputes, and has mediated many cases to settlement. Mr. Thum has published widely on construction law topics, including contract interpretation, scheduling, productivity and damage calculation. He has been invited to speak to numerous industry groups throughout the nation on subjects related to construction law and ADR.

Robert B. Thum

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ADMISSIONS

California

EDUCATION

Cornell Law School (JD, 1970)

Cornell Law Review, Editor
(1969-70)

Princeton University (AB, 1967),
cum laude

Mr. Thum has been listed in *Best Lawyers in America* (Construction Law); *Who's Who Legal, California Who's Who of Business Lawyers* (2007 - Construction); and *Chambers, USA Guide to America's Leading Business Lawyers* (2008 Leading Construction Lawyer in California) Construction Practice. He received the 2008 Chambers "Award of Excellence for Construction."

REPRESENTATIVE MATTERS

- *Westwood Replacement Hospital*. UCLA hospital litigation.
- *Santa Monica /Orthopaedic Hospital*. UCLA hospital litigation.
- *J. A. Jones v. California Commerce Club*. Casino.
- *EMC v. LACMTA*. Los Angeles Blue Line rapid transit.
- *Bechtel Power Inc. v. AES Corporation*. Mountainview Power Plant.
- *M.A. Mortenson v. Kaiser Heath*. Kaiser Hospital, San Francisco.
- *O.T.G. v. City & County of Honolulu*. Honolulu Rapid Transit System.
- *Dillingham/Ray Wilson v. City of Los Angeles*. Hyperion Wastewater.
- *University of California v. Centex Golden*. U.C. Davis Medical Center.
- *TIC/Parsons JV v. Siemens Westinghouse*. Ennis Power Plant.

COURTS & ADJUDICATIVE BODIES

- United States Supreme Court
- United States Court of Appeals for the Federal Circuit

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- United States Court of Appeals for the Ninth Circuit
- United States District Court for the Central District of California
- United States District Court for the Eastern District of California
- United States District Court for the Northern District of California
- United States District Court for the Southern District of California
- United States District Court for the Northern District of Texas
- United States District Court for the Western District of Washington
- United States District Court for the District of Idaho
- United States District Court for the District of Nevada
- United States District Court for the District of Puerto Rico
- United States Court of Federal Claims

PROFESSIONAL AFFILIATIONS

- Arbitrator, National Panel of Construction Arbitrators, American Arbitration Association
- Member, American Bar Association, Forum Committee on the Construction Industry, and Public Contract Law and Litigation Sections
- Member, California State Bar Association, Construction, Real Estate and Litigation Sections

COMMUNITY SERVICE

- President, Berkeley Rowing Club, 1976 to 1986
- Commissioner, City of Berkeley, Parks and Recreation, 1986 to 1992
- President, Board of Directors, Piedmont Children's Choirs, 1993 to 1996
- President, Board of Directors, Lafayette Arts & Science Foundation, 1997 to 1999
- Board of Directors, Town Hall Theater, 2000 to 2003

PUBLICATIONS & SPEAKING ENGAGEMENTS

ARTICLES

"The Authority to Issue Changes." *Construction Change Order Claims* (2005).

"Trying a Complex Construction Case to a Jury." *ABA Forum Committee* (2004). Article and speech.

"Construction Defects: Contribution, Equitable Indemnity and Good Faith Settlement." *California CEB* (2000).

"Bid Guarantees." *Construction Bidding Law* (1991).

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"Changes." *Construction Subcontracting: Legal Guide* (1990).

"The Liability of Designers and Contractors to the End-User." *ABA Forum Committee* (1985). Article and speech.

"Claims and Project Schedule." *Scheduling and Proof of Claims* (1985).

"The Owner's Warranty of Plans and Specifications." *14 Public Contract L.J.* 240 (1984).

BOOKS

Practical Construction Law. Fed. Pub. (2007). Book and speech.

California Construction Law. Fed. Pub. (2006). Book and speech.

AGCC Handbook of California Construction Law. AGC of California (1993).