

## Gary L. Brown

Partner

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## Practices

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## About

Gary Brown is a partner in the Fort Lauderdale office of Arnstein & Lehr LLP and is a member of the firm's Construction Practice Group. He is Board Certified by The Florida Bar in Construction Law. In 2016, he published a book with the Daily Business Review (an ALM Media company) titled *Florida Construction Defect Litigation*. He practices in general commercial and business litigation, handling both complex and routine matters for clients with special expertise in construction-related matters, including:

- Contract drafting and negotiation;
- Dispute resolution;
- Florida's Construction Lien Law;
- Payment and performance bond claims;
- Construction and design defect claims;
- Delay, inefficiency and acceleration claims;
- Public Procurement/Bid protests; and
- Insurance/coverage disputes.

Gary's representation also includes assisting municipalities and local governments in all aspects of public work projects, from writing IFBs, RFPs, RFQs, and construction and design contracts, to carefully navigating through often difficult ongoing project disputes that jeopardize the proper and timely completion of the work, to successful project close-out.

Gary has practiced law since 1995 in state and federal trial and appellate courts throughout Florida, where he has gained extensive experience both in and out of the courtroom, and has conducted numerous trials and arbitrations to successful conclusion.

Gary's construction litigation experience has involved the successful representation of large institutional owners, municipalities, general contractors and major subcontractors in the prosecution and defense of multi-million dollar wrongful termination, construction defect, design defect, and insurance coverage claims, as well as bid protests on multi-million dollar public works projects. His commercial litigation experience has involved the successful representation of privately held companies in shareholder derivative suits over corporate restructuring and sale of company shares; and a local title company in the defense of multi-million dollar claims by a national institutional lender for an alleged loan-kiting scheme.

## Achievements, Awards & Recognition

- Sponsored the City of Lauderhill's 17th Annual Dr. Martin Luther King, Jr. Black History Month Gala (February 2017)
- Construction Association of South Florida (CASF)
  - Governmental Affairs Committee
- Broward County Bar Association
  - Construction Law Committee
- The Florida Bar Real Property Probate and Trust Law Section
  - Construction Law Committee
  - Publications Subcommittee
  - Legislative Subcommittee
  - Chair, Jury Instructions Subcommittee
- Engineering Contractors Association (ECA)
- Florida Super Lawyer, Florida Super Lawyers (2010-present)
- Top Attorneys in Florida (2011-present)
- Top Lawyer, South Florida Legal Guide (2012-present)
- Top Up & Comer, South Florida Legal Guide (2011)

## Publications & Speaking Engagements

### Publications

- [Florida Construction Defect Litigation](#), book published by Daily Business Review (published January 2016; updated for 2017)
- *Florida Construction Defect Litigation 2017* update featured in *The Florida Bar News*' ["News and Notes" section](#) (February 2017)
- ["Florida's Construction Defect Statute Undergoes Significant Changes in 2015."](#) *Mondaq* (January 2016)
- "Can Construction Lenders Be Liable to Lienors? Exploring Lienors' Rights When a Project is in Foreclosure," *Construction Ink!* (Fall/Winter 2009)
- "Indemnity Obligations in Construction Contracts-Risk Management from the Indemnitor's Perspective," legal editor (2007)
- "Risk Transfer In The Construction Setting: Passing The Buck. Where Does It Stop?," *Construction Ink!* (Spring/Summer, 2004)
- "Sovereign Immunity And Government Contracting: What's Happened Since *Miorelli*?" *Construction Ink!* (Fall, 2003)
- "Applying Contractual Venue Provisions To Lien Foreclosures And Claims Against Payment Bonds," *Construction Law Chronicle* (2002)
- "Section 725.06, Florida Statutes, Undergoes Substantial Changes," *Construction Law Chronicle* (2001)
- "Construction Law For Attorneys In Florida," ISCS Conference Lecture (1999)

### Speaking Engagements

- "Construction Law: Ultimate Bootcamp," Palm Beach County Bar Association and myLawCLE (June 2017)
- "Mechanics' Liens in Florida," National Business Institute (May 2015)
- "Indemnity Provisions: Is the Subcontractor Responsible? What About the Design Professional?" National Business Institute (2014)
- "Construction Defect Litigation - Anatomy of a Defect: What It Is and the Rules That Apply," National Business Institute (2013)
- "Managing Contract Changes/Handling Changes to Jobsite Conditions," National Business Institute (2008)
- "Damage Control: Addressing Claims and Disputes on Municipal Construction Projects" (2008)
- "Indemnification in Construction Contracts," CEU Institute (2006)

## Education

Nova Southeastern University, Shepard Broad Law Center (J.D. 1995)  
 Nova College at Nova Southeastern University (B.A. with distinction 1991)

## Bar Admissions

The Florida Bar (1995)  
 U.S. District Court, Southern District of Florida (1995)  
 U.S. District Court, Middle District of Florida (1999)  
 11th Circuit Court of Appeals (2009)