

James P. Carney

SHAREHOLDER

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Overview

Jim Carney concentrates his practice on construction litigation and government contracts. He has significant experience litigating large, complex construction matters as well as drafting and reviewing construction contracts, analyzing claims, and closing out projects.

Jim has represented clients in state and federal court and in domestic and international arbitrations. He has represented suppliers, subcontractors, general contractors, designers, and public and private owners on a wide range of projects, including commercial, federal, airport, road, residential, hotel and resort, hospital and research facility, and power and utility projects.

He has been selected to the Washington, D.C., Rising Stars list in construction litigation and is a member of the ABA Forum on Construction Law.

Experience

- Represented a material supplier in its nearly \$1 million mechanic's lien action arising out of the construction of a casino hotel in Maryland.
- Represented a general contractor against more than \$2 million in subcontractor claims, including claims for lost productivity and delay on a public project in Virginia, and advanced general contractor's counterclaims of more than \$1 million related to delay and defective work.
- Defended a design-build contractor from more than \$50 million in claims by a subcontractor arising out of the construction of a 101-kilometer road in Afghanistan. The two-and-a-half-year international arbitration involved many aspects of horizontal design and construction, issues related to construction management and claims processing, as well as delay and modified total-cost claims.
- Defended a general contractor against claims from multiple subcontractors (totaling more than \$30 million) arising out of the construction of a \$500 million state-of-the-art biocontainment laboratory and research facility.
- Represented a general contractor advancing more than \$10 million in claims, including delay and cumulative-impact claims, against the U.S. government, arising out of the construction of a U.S. Embassy.
- Represented a general contractor advancing more than \$11 million in claims

arising out of the construction of a publicly owned hospital in the Bahamas.

- Represented a number of subcontractors on claims arising out of the construction of a \$3.5 billion resort in the Bahamas.
- Defended a public owner against more than \$10 million in subcontractor claims arising out of the construction of an airport runway extension.

All Insights

09.22.2020 Understanding the Purpose, Limitations, and Benefits of a Liquidated Damages Clause
Construction Executive

04.15.2020 Mechanic's Lien Flowchart (MD)
Practical Law

04.15.2020 Mechanic's Lien Workflow Checklist (MD)
Practical Law

04.15.2020 Mechanic's Liens in Practice (MD)
Practical Law

11.02.2018 Delay and Loss of Productivity Evidence: How to Efficiently and Persuasively Present This Evidence to Virginia Juries (and Judges)
39th Annual Construction Law and Public Contracts Seminar

04.16.2018 Application of the Government-Contractor Defense to Construction Contractors
Construction Law Newsletter

06.20.2017 Chapter 49 (Virginia) Supplement
State-by-State Guide to Design and Construction Contracts and Claims

All News

04.17.2020 Washington, D.C. Super Lawyers Honors Carlton Fields Attorneys on 2020 Lists

03.24.2020 The Significance of Proper Project Documentation

10.11.2019 Escalation Clauses Can Help Contractors Mitigate Price Increases

09.12.2019 Carlton Fields Government Contract Lawyers Quoted in Construction Dive Article About Terminating P3 Construction Contracts

08.14.2019 Carlton Fields Adds Five Attorney Team to DC Construction Group

Recognition

- Washington, D.C., Rising Stars, Construction Litigation, *Super Lawyers Magazine* (2020)

Professional & Community Involvement

- American Bar Association
 - Forum on Construction Law
- Maryland State Bar Association
- Washington Building Congress

Speaking Engagements

- "Construction Claims & Change Order Management Session 2: Claim Preservation, Documentation, and Contract Interpretation," WPL Publishing Co. Four-Part Training Program on Construction Claims (2020)
- "Identification and Notification of Claims: Overcoming the First Obstacles to Successful Recovery," The Florida Bar Construction Law Committee (2019)
- "Identification and Notification of Construction Claims: Keys to Success," WPL Publishing Co.'s Online Course on Management of Construction Claims & Change Orders (2017–2019)

Credentials

EDUCATION

- Catholic University of America
Columbus School of Law (J.D., 2011)
- Davidson College (B.A., 2003)

COURT ADMISSIONS

- U.S. District Court, District of Maryland

BAR ADMISSIONS

- District of Columbia
- Maryland

Background

- Partner, McManus & Felsen LLP, Washington, D.C.

Areas of Focus

PRACTICES

- Construction Litigation

INDUSTRIES

- Construction

- Construction Transactions
- International Litigation & Arbitration