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## ARTHUR D. BRANNAN

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WARGO & FRENCH LLP  
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404.853.1541 *DIRECT FAX NUMBER*

### **Practice Areas:**

Mr. Brannan practices in the following areas:

Complex Commercial Litigation  
Engineering and Construction Litigation  
Real Estate Litigation  
Business Tort Litigation  
Appellate Litigation  
Alternative Dispute Resolution  
International Arbitration

### **Representative Matters:**

- Represented large engineering/program management firm in a \$150 million dispute involving a \$1 billion school construction program in the metropolitan Atlanta area.
- Represented an affiliate of a national pension fund/owner in a series of disputes concerning a \$250 million cost overrun relating to the development, design and construction of a four-star resort hotel and convention center in south Florida.
- Represented the majority owner of a 249 MW thermal complex (coal and fuel oil plants) in Bahia Las Minas, Colon, Panama, regarding design and construction defect and delay claims against an EPC contractor.
- Represented a U.S. affiliate of a Swedish engineering firm in an eleven-week arbitration hearing concerning claims relating to the design and construction of a low-level radioactive waste processing facility in Tennessee.
- Represented a public District/owner in a \$40 million dispute concerning delay claims arising from the design and construction of a seventeen mile bridge across the Chesapeake Bay.

- Represented the public owner of a pumped-storage hydroelectric facility in an international arbitration proceeding before the Thai Arbitration Institute.
- Represented a Swedish engineering firm in a dispute relating to the design and construction of an anaerobic wastewater treatment plant in Alaska.
- Represented the public owner in a dispute involving claims arising from the design and construction of an airport terminal expansion project in Florida.
- Represented the purchaser of assets of a robotic packaging company in a dispute involving alleged breach of warranty and “earn-out” claims arising from the sale of the company.
- Represented a national restaurant franchisor in dispute with multiple franchisees concerning termination of franchises and non-payment of royalties and other fees.
- Represented a bank in a dispute with its landlord concerning alleged breaches of commercial lease of office building and related rent adjustments.
- Represented a national hotel company in a dispute with the owner of a downtown Atlanta hotel concerning the operation and management of the hotel.
- Represented the owner of a large hotel in a dispute with a property management firm concerning various breaches of the property management agreement involving the accounting of revenues and expenses.
- Represented the owner of a technology company in a dispute concerning the interpretation and application of “earn-out” provisions relating to his claim for additional payments arising from the sale of the company.
- Represented a large, privately-held steel company in a series of disputes concerning the acquisition of metals recycling facilities and related “earn-out” claims.
- Represented the manufacturer of flake propellant in a dispute with a purchaser/government contractor concerning the propellant’s compliance with applicable military specifications.
- Represented the lenders and trustee in a dispute with the owner of a retirement facility in Florida involving the non-payment of a \$29 million loan and the defense of related lender liability claims.

**Education:**

**University of Michigan Law School**, Ann Arbor, Michigan  
J.D., 1986

**Boston University**, Boston, Massachusetts  
M.S.B.A., 1985

**University of Notre Dame**, Notre Dame, Indiana  
B.S., 1979

**United States Army**  
Field Artillery Officer, 1979-1983

**Publications:**

- Speaker/Author, *Wrongful Termination: Did the Owner Act in Good Faith and, If Not, So What?*, The State Bar of Montana Annual Construction Law Institute (2012—Bozeman, Montana)
- Speaker/Co-author, *Advanced Litigation Management Principles*, American Bar Association Forum on Construction Law (2009 Fall Program—Philadelphia, Pennsylvania)
- Program Co-chair, *Another Perfect Storm*, American Bar Association Forum on Construction Law (2007—Fall Program—Newport, Rhode Island)
- Co-author, *The Annotated Construction Law Glossary*, American Bar Association Forum on Construction Law (2010)
- Co-editor, *International Construction Law: A Guide for Cross-Border Transactions and Legal Disputes*, American Bar Association Forum on Construction Law (2009)

**Professional Activities:**

- Member of the American Bar Association Forum on Construction Law (Governing Committee Member, 2010 -2013; Chair of International Construction Division, 2005 -2007)
- Member of the Georgia Bar Association (Litigation and Dispute Resolution Sections)
- Member of the Atlanta Bar Association (Litigation and Construction Litigation Sections)
- Member of the Florida Bar Association

- Instructor, Real Estate Law—The Ohio State University (1994-1995)
- Consistently recognized as a Georgia “Super Lawyer”
- Consistently recognized as one of the “Best Lawyers in America” and “Best Lawyers in Georgia” in the practice area of Construction Litigation
- Martindale-Hubbell Peer Review Rating—“AV Preeminent”
- Registered Arbitrator and Mediator—Georgia Commission on Dispute Resolution

**Bar and Court Admissions:**

- State Bars of Georgia and Florida
- Admitted to practice in the United States Supreme Court, the United States Court of Appeals for the Eleventh Circuit, the United States District Courts for the Northern and Middle Districts of Georgia and for the Middle District of Florida, the Supreme Court of Georgia and the Georgia Court of Appeals