

# Design Professionals



Architects, engineers, and other design professionals and firms are faced with considerable legal challenges throughout every phase of a project, from contract negotiation and dispute resolution to the defense of professional liability claims. These professionals turn to MG+M The Law Firm for sophisticated legal representation and counsel to guide, assist and defend them as they navigate challenges facing their architectural and engineering projects.

The attorneys at MG+M have decades of experience in representing professionals in complex matters, giving us a deep understanding of industry standards and practices. Our Design Professionals Practice handles pre-litigation matters and professional liability claims, and represents clients across North America in state and federal courts, as well as at mediations, arbitrations and other dispute resolution forums.

In addition to helping clients react swiftly and strategically to claims against them, we provide strategic counsel and assist with the broad range of legal challenges facing design professionals offering holistic support and strategic partnership to resolve problems and prepare for the future. Our attorneys collaborate across many legal disciplines, including:

- + Litigation
- + Pre-Litigation
- + Contract review and negotiation
- + Intellectual Property
- + Taxation
- + M&A
- + Labor and employment matters
- + Corporate matters
- + Licensure regulation
- + Real estate

Our seasoned attorneys have considerable experience handling all types of professional liability claims in all project delivery methods, including design errors and omissions, delays, and personal injury matters throughout North America. Our extensive experience working with a range of design professionals provides us insight into the business and legal challenges unique to each client and project, including residential, commercial and municipal structures.

## Experience

- + Defended owner's representative involved in design bid build project on historical renovation of a town hall. Obtained favorable outcomes on dispositive motions throughout litigation and defended client over the course of 25-day trial in Middlesex Superior Court.
- + Defended third party evaluation and testing agency for modular and manufactured buildings in tort claim brought by owner of modular building. Following years of litigation and 15-day trial, obtained dismissal of all counts and attorneys' fees.
- + Defended engineer of record of auto auction facility where five people died following motor vehicle accident. Successfully mitigated risk for client and obtained dismissals of all but one claim based upon application of Massachusetts statute of repose.
- + Obtained favorable arbitration award in favor of an MEP engineer relating to design defects in a luxury multi-family housing development in which the three-person arbitration panel awarded the claimant approximately 10 percent of the amount sought.
- + Secured an appellate division reversal of a lower court decision denying a motion to dismiss and dismissed claims against an architectural firm finding that the contractor's common law indemnity claim failed as a matter of law because the contractor was sued for its own wrongdoing, and that the breach of contract claim failed

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because the contractor lacked privity with the architect.

- + Successfully moved to enforce a settlement agreement when the plaintiff attempted to insert additional post-mediation terms into the agreement.
- + Successfully moved to dismiss RICO claims asserted against our client in the Eastern District of New York.
- + Successfully moved to dismiss a condominium association's indemnification claim against an MEP engineer due to lack of privity or its functional equivalent with the engineer.