



# Christopher E. Ng

## Managing Partner

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## Professional Experience

Christopher Ng is an equity partner, executive committee member, and the managing partner of Gibbs Giden. Chris primarily represents companies in a wide range of business, commercial and construction negotiations and disputes. Chris is a member of the State Bar of California and District of Columbia and licensed to practice in all California state and federal courts. Chris is also an educator, active speaker, published author and frequent contributor to local, regional and national legal publications. For his achievements, Chris has been named to the "Rising Star" and "Super Lawyers" lists by *Los Angeles Magazine* and Super Lawyers® (Thomson/Reuters) regularly since 2009 (including again in 2020), a distinction conferred upon less than 5% of all California attorneys. Chris was also named the 2015-2016 "Educator of the Year" by Credit Management Association (CMA).

Chris is nationally recognized in the field of construction law and regularly pens articles and contributes to treatises for construction industry professionals and other lawyers including publications by ENR Engineering News-Record, Wolters Kluwer Law & Business (*California Construction Law*), BNI® (*Acret's California Mechanics Lien Laws*), the California Continuing Education of the Bar (CEB) (*California Mechanics Liens and Related Construction Remedies* and *California Construction Contracts, Defects and Litigation*) and

the American Bar Association (ABA) Forum on the Construction Industry.

In addition to his current position as an Adjunct Professor of Business Law at the School of Business and Economics at California State University Northridge, Chris has taught the Legal Environment of Business at Pepperdine University and has been a guest lecturer of construction law at Loyola Law School (Los Angeles). Chris is also a frequent speaker and educator on construction law for organizations including the ABA, Los Angeles County Bar Association, CMA, Levelset, Lorman Education Services and American Society of Professional Estimators, and was a featured speaker at both the 2012 (Las Vegas) and the 2015 (Boca Raton) Annual ABA Forum on Construction Law meetings. In 2013, Chris was appointed to the Division 9 Steering Committee of the ABA Forum on Construction Law primarily representing the interests of specialty trade contractors and suppliers in the construction industry on a national and global basis. Since 2015, Chris has served on the ABA Forum's Diversity Committee, dedicated to raising awareness and understanding of the vital role diversity plays in the industry.

## Practice Areas

- Civil Litigation
- Commercial Law
- Construction Law
- Public Contracts
- Energy & Environmental Law

## Education

- Pepperdine University School of Law (J.D., *cum laude*), 2001
- Judicial Clerk for The Honorable Lawrence J. Mira, The Honorable James A. Albracht, The Honorable Terry J. Adamson, Los Angeles County Superior Court, West District, 1999-2000
- California State University, Northridge (B.S., Business Administration, *magna cum laude*), 1998

## Bar Admissions

- District of Columbia, 2011
- U.S. District Courts, Eastern, Northern and Southern Districts of California, 2002
- California Bar No. 216969, 2001
- U.S. District Courts Central, 2001

## Academia and Teaching

- Adjunct Professor of Business Law, David Nazarian College of Business and Economics at California State University, Northridge, 2005-present
- Adjunct Professor of Business Law and Ethics, Pepperdine University, 2016-2017
- Guest Lecturer on Construction Law, Loyola Law School, Los Angeles, California

## **Professional Memberships**

- State Bar of California (Bar No. 216969, Admitted 2001)
- District of Columbia Bar (Bar No. 999805, Admitted 2011)
- United States District Court, Central District of California (Admitted 2001)
- United States District Court, Eastern District of California (Admitted 2002)
- United States District Court, Northern District of California (Admitted 2002)
- United States District Court, Southern District of California (Admitted 2002)
- American Bar Association
  - Division 9 (Subcontractors & Suppliers), Steering Committee, Forum on Construction Law (2013 to present)
  - Diversity Committee, Forum on Construction Law (2015 to present)
  - Advisory Committee Member for the Forum on Construction Law 2017 National Mid-Winter Meeting

## **Speaking Engagements**

- Presenter, National Association of Credit Management 123<sup>rd</sup> Annual Credit Congress & Exp (May 22, 2019, Gaylord Rockies Resort and Convention Center, Denver, Colorado) Topic: Advanced Collection Techniques in the Construction Industry
- Presenter, National Association of Credit Management (NACM) Education Roadshow (April 15-16, 2019, Anaheim, CA and Sacramento, CA) Topic: Renewing Your Commitment to Good Commercial Credit Practices: The Importance of Sticking to Your Credit Policy; The Fable of the "Secured" Account; Insisting on Complete and Enforceable Credit Applications and Agreements; Ensuring Your Terms and Conditions Control Every Transaction; Embracing and Conquering Challenging Credit and Legal Principles; Restructuring Debt and Securing Repayment Plans; Enhancing Prelawsuit Collection Efforts; Dealing with the Insolvent Customer and Bankruptcy (strategies in how to avoid preference claims, squeezing "blood from a turnip", and basic bankruptcy law); Fulfilling Your Role as the Gatekeeper; Maximizing Postjudgment Collection; and How to Efficiently and Effectively Utilize Your Attorney
- Presenter, National Association of Credit Management (NACM) Commercial Services Webinar (February 22, 2019) Topic: The Battle of the Forms
- Speaker, American Bar Association Forum on Construction Law, 2019 Midwinter Meeting (January 30, 2019, Millennium Biltmore Hotel, Los Angeles, California) Topic: "Show Me the Money! Help Me, Help You Get Paid on Public Jobs"
- Presenter, National Association of Credit Management (NACM) Commercial Services Webinar (November 16, 2018) Topic: The [First] Ten Commandments of Commercial Credit
- Presenter, Credit Management Association (CMA) Webinar (November 9, 2018) Topic: California Advanced Mechanics Lien Law
- Presenter, Credit Management Association (CMA) – Solar Industry Credit Group Meeting (October 19, 2018, Los Angeles, California) Topic: 2018 Green Energy and Solar Law Update - Review of new California green energy laws (including SB 100 and California Energy Commission's new Energy Efficiency Standards)
- Presenter, Credit Management Association (CMA) – Southern California Joint Construction Suppliers Industry Credit Group Meeting (October 11, 2018, Anaheim, California) Topic: 2018 California Construction Law Update – Review of new California legislation and case law impacting the California material suppliers
- Presenter, National Association of Credit Management (NACM) Commercial Services – West Coast Apparel and Footwear Credit Association Group Meeting (October 10, 2018, Commerce, California) Topic "Bulletproofing" Your Credit Application and Sales Agreement
- Presenter, National Association of Credit Management (NACM) Commercial Services Webinar (September 18, 2018) Topic "Bulletproofing" Your Credit Application and Sales Agreement
- Speaker, Credit Management Association (CMA) – Northern California Joint Construction Suppliers Industry Credit Group Meeting (May 17, 2018, Livermore, CA), Northern California Electrical Industry Meeting (May 18, 2018, Fremont, CA), and Northern California Metals Industry Meeting (July 12,

2018, Pleasanton, CA) Topic: The [First] Ten Commandments of Credit in the Construction Industry.

- Presenter, National Association of Credit Management (NACM) – NACM Business Credit Services and Southwest Business Credit Services Webinar (July 11, 2018) Topic: Defining Terms and Credit Policies.
- Speaker, CreditScape 2018 Spring Summit (April 5, 2018, Orange County, CA) Topic: A Review of Statutes and Case Law Affecting the California Construction Industry in 2018 and Beyond.
- Speaker, Credit Management Association (CMA) (March 13, 2018, Webinar) Topic: California Mechanics Lien Law – properly utilizing the mechanics lien, stop payment notice, payment bond, and contractors' license bond claims.
- Speaker, Central California Builders Exchange Conference (February 6, 2018, Fresno, CA) Topic: California Mechanics Lien Law for Owners, Direct Contractors, Subcontractors and Material Suppliers - Techniques on how to assert and handle statutory and contractual payment claims on California private and public works of improvement.
- Speaker, Credit Management Association (CMA) – Northern California Joint Construction Suppliers Industry Credit Group Meeting (September 21, 2017, Livermore, California) Topic: Advanced Collection Techniques in the Construction Industry – Enhancing prejudgment and post-judgment collection efforts and how to efficiently and effectively utilize your attorneys.
- Speaker, CSUN Alumni Association (September 6, 2017, Encino, California) Fundamentals of Modern Construction Law - Best practices at representing owners, contractors, and suppliers in today's market during the contracting, contract administration and close out stages of a project.
- Speaker, Credit Management Association (CMA) (June 21, 2017, Los Angeles, California) Topic: California Advanced Lien Law – Advanced techniques including the mechanics lien, stop payment notice and payment bond claims, designed to enhance prejudgment and post-judgment collection efforts on California private and public works of improvement.
- Speaker, Credit Management Association (CMA) – Southern California Joint Construction Suppliers Industry Credit Group Meeting (October 13, 2016, Commerce, California) Topic: Advanced Collection Techniques in the Construction Industry – Enhancing prejudgment and post-judgment collection efforts and how to efficiently and effectively utilize your attorneys.
- Speaker/Panelist, CreditScape 2016 Fall Summit (September 22-23, 2016, Sonoma, CA) Topic 2: *How Do You Get To Yes?* (Utilizing payment processing tools, guarantees, escrow agreements, UCCs, credit insurance, letters of credit, spot factoring, alternative financing options and other legal enhancement. Topic 1: *What Parts of the Cash-to-Cash Cycle Can you Improve?* (Improving pre-checks for the sales department, inventory to ship, credit and AR management, collections and disputes, invoice administration and other processes).
- Speaker, Credit Management Association (CMA) (March 4, 2016, Fairfield, California; April 22, 2016, Glendale, California) Topic: California Advanced Lien Law - Advanced Collection Techniques for Construction Industry Suppliers and Contractors; enhancing prejudgment and post-judgment collection efforts with an emphasis on California's Mechanics Lien Law, and how to efficiently and effectively utilize your attorneys.

- Speaker, Credit Management Association (CMA) (February 4, 2016, Webinar) Topic: Basic Lien Law – The Fundamentals of California's Mechanics Lien Law.
- Speaker, ABA Forum on Construction Law – (2015 Annual Meeting, Boca Raton, Florida), Topic: The Construction Lawyer's Bucket List – Warranties, Guarantees and Statutes of Limitation.
- Speaker, Credit Management Association (CMA)– (April 2015, Burbank, California), Topic: The Battle of the Forms and Commercial Law Issues.
- Speaker, Credit Management Association (CMA) (March 12, 2015, Burbank, California), Topic: Nuts & Bolts of California Construction Law.
- Speaker, Credit Management Association (CMA) (March 6, 2015, Milpitas, California), Topic: California Construction Payment Remedies–Essential Collection Rights and Remedies.

## Publications

- Pay-When-Paid: Courts Hold a 'Reasonable Time' Now Has to Be Reasonable Business Credit Magazine (May 2020)
- Construction Industry Credit Is Not for the Faint of Heart, Business Credit Magazine, May (2019)
- Co-author, California Construction Law – 18th Edition, Chapter 12 – Bankruptcy in the Construction Industry (Wolter Kluwer Law & Business 2019).
- Update Author and Contributor, California Construction Contracts, Defects and Litigation, Chapter 13 – Construction Defects: Contribution, Equitable Indemnity and Good Faith Settlement (Continuing Education of the Bar, California – 2017-2018).
- Contributor, *Finding Solutions – Specialty Contracting Roundtable*, ENR Engineering News-Record (September 25 / October 2, 2017).
- Co-author, California Construction Law – Seventeenth Edition, 2012-2017 Supplements, Kenneth C. Gibbs and Gordon Hunt, Chapter 12 – Bankruptcy in the Construction Industry (Wolter Kluwer Law & Business 2012-2018).
- Contributor, California Mechanics Liens and Related Construction Remedies, Fourth Edition, Chapter 3 – Private Works: Enforcing Mechanics Liens, Stop Payment Notices and Bonds and Chapter 4 – State and Local Public Works: Enforcing Stop Payment Notices, Bonds, and Prompt Payment Statutes (Continuing Education of the Bar, California – June 2012).
- Annotation co-author, Acret's California Mechanics Lien Laws 2012, (BNi Publications 2012).
- Co-author, *Is the Construction Manager Holding Any of the Cards? A Critical Look at Construction Management at Risk Today*, The Construction Lawyer, Journal of the ABA Forum on the Construction Industry, Volume 32, Number 4, Fall 2012.
- Received special acknowledgement for consulting and contributing to the California Mechanics Liens and Related Construction Remedies, Fourth Edition, Continuing Education of the Bar, California, June 2012 publication.

- Co-author, *Change Is Coming to California's Mechanics Lien Law* from the May 2012 issue of the Real Property Reporter, Continuing Education of the Bar - California (CEB).

## Representative Matters

- **Construction Law**

Chris represents owners, contractors, subcontractors, suppliers and design professionals in connection with all aspects of private and public projects, from contract negotiation to enforcing and defending contract, mechanics lien, stop payment notice, bond and other statutory claims. These projects include commercial and industrial complexes, federal and state government projects, universities and schools, theaters, hospitals, retail stores, hotels, office buildings, restaurants and solar power projects. Clients include notable general contractors, specialty trade contractors, commercial property owners, design and architectural firms, and material suppliers and manufacturers in a wide variety of industries.

- **Business Law**

Chris is uniquely well-equipped to counsel all types of business in a wide variety of legal issues. He provides a broad range of legal services to protect and grow a company in every stage of the business life cycle, including: the proper formation of the appropriate business entity; drafting and negotiating all types of contracts to manage risk; protecting trademarks, copyrights and other intellectual property; resolving claims before litigation; prosecuting and defending business-related litigation; collections; restructuring debt; enforcing judgments; and protecting creditors' rights in bankruptcy. Chris is also an Adjunct Professor of Business Law at the David Nazarian College of Business and Economics and Graduate Business Program at California State University, Northridge, where for more than fifteen years, he has taught subjects including contracts, commercial law, civil procedure, alternative dispute resolution, negotiation, remedies, negligence, agency and employment, and intentional torts such as defamation, trespass, nuisance, commercial misappropriation, and fraud. Chris was named the 2015-2016 "Educator of the Year" by Credit Management Association (CMA), the largest then affiliate of the National Association of Credit Management (NACM).

- **Commercial Law and Creditors' Rights**

Chris also regularly assists manufacturers, distributors and retailers with a vast array of commercial law issues, including: drafting standard terms and conditions for the sale or purchase of goods; advising clients regarding troublesome contract terms; ensuring proper contract administration; handling shipping disputes and risk of loss; representing clients in commercial disputes and litigation; and assisting with enforcing judgments and collections. Chris's varied commercial clientele includes buyers and sellers of all types of goods including steel, electrical and lighting, lumber, roofing, mechanical, plumbing, solar, oil and petroleum products, apparel, electronic components, composite goods, and rental equipment.

## Honors & Awards

- Southern California Rising Star, Thomson/Reuters (2009-2015)
- Super Lawyers, Thomson/Reuters (2017-2019)
- Educator of the Year, Credit Management Association (2015-2016)

- The Legal 500, United States, Recommended Lawyer, 2019