



Richard J. Wittbrodt

Partner

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Professional Experience

Richard J. Wittbrodt is recognized as a leading construction lawyer by the *Chambers USA Directory of Leading Lawyers* and is noted in Chambers as “highly ethical and very smart” and “a brilliant strategist.” Mr. Wittbrodt is a member of the Governing Committee for the ABA Forum on Construction Law, which is the largest organization of construction lawyers in the world.

He is also an equity partner of the firm. His primary emphasis is in construction litigation, including prosecuting and defending claims of delay, disruption, defective construction, mechanics lien and stop notice foreclosure actions, for both public and private projects. Mr. Wittbrodt has experience representing large general contractors with multi-million dollar complex hospital construction cases involving OSHPD, delay, design issues, breach of contract, warranty of plans and specifications, prompt payment requirements, contract interpretation issues, and lost profits.

Furthermore, he is one of the attorneys in California to be a LEED AP®. In the commercial practice area, he has substantial experience in securing and defending preliminary remedies (including writs of attachment, possession, and injunctions) and secured transactions. He is also a frequent lecturer to many construction industry associations.

Practice Areas

- Construction Law
- Civil Litigation
- Commercial Law
- Appellate Law

Education

- Pepperdine University School of Law (J.D., *cum laude*), Malibu, CA, 1988
- Golden Gate University (M.B.A., Tax), Los Angeles, CA, 1984
- University of Michigan (B.B.A., *with distinction*, Accounting), Flint, MI, 1980

Certifications/Specialties

- LEED® Accredited Professional, 2009
- Certified Public Accountant, Michigan, 1983
- Certified Public Accountant, California, 1983

Bar Admissions

- California Bar No. 138829, 1988
- U.S. District Court Central District of California, 1988
- U.S. District Court Eastern District of California, 1988
- U.S. District Court Northern District of California, 1988
- U.S. District Court Southern District of California, 1988

Representative Clients and Experience

- Layton Construction Company, LLC

- Schuff Steel Company
- RLJ Lodging Trust
- HNTB, Inc.
- Reliance Steel & Aluminum Co., Inc.
- Climatec Building Technologies Group

Professional Memberships

- Governing Committee member for the ABA Forum on Construction Law, 2017-Present
- LEGUS, an International Network of Law Firms, Advisory Board Member, 2008 – Present
- ABA, Forum on Construction Law Fall Marketing Committee, 2016-present
- ABA, Forum on Construction Law Fall Meeting Program Co-Chair, 2014 Chicago IL
- ABA, Forum on Construction Law Division 12 Steering Committee, 2012-2017
- ABA, Forum on Construction Law, Member, 2010 – Present
- US Green Building Council (USGBC) Los Angeles Chapter, Member, 2009 – Present
- Southern California Development Forum (SCDF), Member, 2009 – 2012
- Construction Finance Management Association (CFMA), Member 2007 - 2012; Board Member and Co-President, Los Angeles Chapter 2009 – 2011
- State Bar of California, Member, 1988 – Present
- Los Angeles County Bar Association, Member 1988

Speaking Engagements

- Speaker, ABA Forum on Construction Law - Fall Meeting (October, 2016);Topic: It's Getting Better All The Time: Best Practices in Presenting Delay Claims
- Moderator and Speaker, Gibbs Giden Annual Review Preview Construction Law Seminars (2006-2016)
- Speaker, Moss Adams, LLP Construction Industry Roundtable (Dec. 2010); Topic: Construction Law Discussion
- Speaker, ABA Forum on the Construction Industry - Annual Meeting (April 2010);Topic: Pre and Post Judgment Collection Remedies: Show Me The Money!

- Speaker, Construction Financial Management Association (Oct., Nov. 2009); Topic: Legislative and Case Law Update
- Speaker, Los Angeles County Bar Association (April 2009); Topic: Mechanics Lien's and Bonded Stop Notices and Their Uses in Tough Economic Times
- Speaker, AOD Conference West, Session 9 (May 5 -6, 2008); Topic: Overview of New Building Technologies: What Owners and Developers Should Know
- Speaker, Lorman Education Services (2004); Topic: Construction Liens and Other Construction Issues in California
- Speaker, Lorman Education Services (2000 – 2001); Topic: Public and Private Construction Law In California
- Speaker, Van Rylin Associates, Inc.: (1989 - 2000, 2003); Topic: California Lien Law
- Mr. Wittbrodt is a frequent speaker at numerous construction associations and organizations. He provides seminars on California construction law topics to various groups representing owner, developers, architects, engineers, contractors, sub-contractors, material suppliers and his representative clients (1989 – present).

Publications

- R. Wittbrodt (Co-Author) "It's Getting better All the Time": Best Practices in Presenting Delay Claims Bench Trial/Arbitration/Jury Trial, *The Construction Lawyer*, Fall 2017
- R. Wittbrodt, Sara H. Kornblatt, Michele A. Ellison, Applying *Lydig* to the Requirements for Requesting a Writ of Attachment, *Los Angeles Lawyer*, April 2016
- R. Wittbrodt & K. Gibbs, Chapter 6, "Construction Claims," *California Construction Law*, 17th Ed. Supplement (Wolters Kluwer Law and Business 2012-2017).
- R. Wittbrodt (Co-Author and Update Author), Chapter 5, "Private Works Contracts: Disputes, Remedies for Breach of Contract," *California Construction Contracts, Defects and Litigation*, Continuing Education of the Bar (Cal. CEB 2009-2017).
- R. Wittbrodt (Co-Author), *Construction Divorce: Protect Your Client's Claim Before It Is Too Late (Parts 1 and 2)*, CEB (Continuing Education of the California Bar) Real Property Law Reporter, (Part 1) September 2011 and (Part 2) November 2011.
- R. Wittbrodt & K. Gibbs, Chapter 12, "Bankruptcy in the Construction Industry," *California Construction Law*, 17th Ed. and Update Supplement (Aspen Publisher 2011).
- R. Wittbrodt, *Prejudgment Remedies and Collection For Owners or Contractors on a Construction Project*, Written Materials, Digitally Published Program Materials, The Age of Turbulence: Managing Money Issues in Construction Presented in Cooperation with the State Bar of Texas Construction Law Section and the ABA Construction Committee of the Section of Litigation, 2010 ABA Forum on

the Construction Industry Annual Meeting, April 24, 2010.

- R. Wittbrodt & L. Eaton, *Understanding Contractual Suspension Terms: A Risk Management Tool for Owners and Contractors* CEB (Continuing Education of the California Bar) Real Property Law Reporter, Summer 2010.
- R. Wittbrodt & L. Eaton, *Understanding Contractor Rights & Risks*, CFMA Building Profits Magazine for Construction Financial Professionals, March - April 2010.
- R. Wittbrodt & L. Eaton, *Project Suspension: What Owners And Contractors Need To Know - NOW!*, Article/White Paper, CMAA Southern California Chapter Newsletter, Summer 2009.
- R. Wittbrodt, Chapter 11, "Termination," and Chapter 12, "Project Closeout," *California Construction Law* (HLK Global Communications, Inc., 2007).

Published Opinions

- *Lydig Construction, Inc. v. Martinez Steel Corporation*, Court of Appeal, Fourth Appellate District, Division One, (2015) 234 Cal. App. 4th 937
- *MW Erectors, Inc. v. Niederhauser Ornamental and Metal Works Company Inc., et al.*, (2006) 36 Cal.4th 412

Honors & Awards

- Governing Committee member for the ABA Forum on Construction Law, 2017-present
- LEGUS, an International Network of Law Firms, Advisory Board Member, 2008 – Present
- Chambers USA, Key Individual, 2013, 2014
- The US Legal 500, United States, 2011-2016
- Richard J. Wittbrodt profiled and interviewed by Julie Schaeffer in *American Builders Quarterly*, View From The Top "Lawyers Are Generally Risk Adverse" January-March 2015
- Richard J. Wittbrodt, interviewed and quoted by Ameera Butt and Stephanie Vatz, Daily Journal Staff Writers, *Mechanics' Lien law changes go into effect*, Article, Los Angeles Daily Journal, June 29, 2012
- Richard J. Wittbrodt, interviewed and quoted by Jason W. Armstrong, Daily Journal Staff Writer, *More California Lawyers Get Green Credentials*, Article, Real Estate Supplement to Los Angeles and San Francisco Daily Journal, July 28, 2010
- Richard J. Wittbrodt, interviewed and quoted by Sue Pascoe, Palisadian - Post Staff Writer, *Attorney, Commercial Broker Earn Their LEED Certification*, Article, Business & Finance Section, Palisadian - Post, September 10, 2009
- Selected for inclusion by Los Angeles Magazine in *Southern California Super Lawyers* (2004, First

Year Awarded, 2015-present).

- Guest Speaker before Arizona House of Representatives, Subcommittee on proposed amendments to Arizona's Statutory Remedies for the Construction Industry (December 4, 1997).
- Recipient, American Jurisprudence Awards in Corporations; Creditors Rights and Bankruptcy.