

NEWSLETTERS

Barnes & Thornburg LLP Construction Law Update - April 2016

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Welcome to the April 2016 edition of the Construction Law Update, an e-publication that features articles authored by the attorneys in Barnes & Thornburg LLP's Construction practice group.

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Time Is Money: Ohio Supreme Court Weighs In On Liquidated Damages for Delayed Roadwork

By Bill Nolan

Recently, the Ohio Supreme Court for the first time applied its long-standing test for determining the validity of liquidated damages to a public works project. [Learn more](#) about the lessons learned from this liquidated damages case against Boone Coleman Construction Co. and other considerations to help minimize damages you may face.

Illinois Federal Court Decision Holds That Alleged Property Damage Outside Of Subcontractor's Scope of Work Triggers The Duty To Defend

By Clifford Shapiro

Westfield Insurance Company v. National Decorating Service, Inc. holds that, under Illinois law, allegations that a subcontractor's defective work caused property damage to a building or project outside the scope of the subcontractor's own work triggers the duty to defend contained in the subcontractor's general liability insurance ("CGL") policy. [Read more](#) about this decision and how the issue presents future uncertainty under Illinois law.

California Upholds Contractor's Professional Negligence Claim against Geotechnical Engineer in the Absence of Privity

By Scott Murphy

Within the past two years California courts have recognized negligence claims against professional engineers and architects in the absence of privity. [This article explores](#) two recent cases which explain how this trend continues and is being applied in the commercial setting.

Lessor of Equipment Entitled to Miller Act Recovery, Even Though the Manufacturer Delivered the Equipment

By Timothy J. Abeska

[Read this article](#) to learn more about U.S. ex rel. Pileco, Inc. v. Slurry Systems, Inc., and how it addressed the reach of the Miller Act in a

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dispute arising from an Army Corps of Engineers reservoir project.

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