

**Brendan E. Kirwin**

Associate

Atlanta

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With a background representing general contractors, subcontractors, and material suppliers through all facets of the construction process, Brendan brings his experience in the construction industry to bear representing clients in construction, development, and other transactional matters.

**OVERVIEW**

Brendan focuses his practice on representing and counseling owners and developers in all manner of complex construction transactions. He draws on his experience representing general contractors, subcontractors, and material suppliers in litigation and arbitration to represent owners and developers in the transactional arena.

**REPRESENTATIVE MATTERS**

- Negotiated various forms of construction contracts for owner and developer clients, including architect and engineering agreements, general contractor agreements, and construction management agreements.
- Drafted form subcontract agreement for use by general contractor in Georgia market.
- Negotiated various general contracts and subcontracts on behalf of general contractor clients.
- Advised general contractors on legal issues concerning delays, subcontractor management, liens, and other common construction issues during course of construction projects.
- Represented a general contractor in a nonpayment dispute and negotiated a successful six-figure settlement.
- Represented a multinational concrete manufacturer in a multimillion-dollar litigation arising from the production and distribution of a “bad mix” of concrete.
- Represented a surety company in complex litigation involving a multimillion-dollar multifamily housing project in Tampa, FL.

**TOP AREAS OF FOCUS**

- Construction

**PROFESSIONAL/COMMUNITY INVOLVEMENT**

- Member, Atlanta Volunteer Lawyers Program, 2019-2020

## **EDUCATION AND CERTIFICATIONS**

### **EDUCATION**

- Florida State University College of Law, J.D., 2018
- Florida State University, B.S., *cum laude*, 2013

### **BAR ADMISSIONS**

- Georgia

### **COURT ADMISSIONS**

- Georgia State Courts
- Court of Appeals of Georgia
- Supreme Court of Georgia
- U.S. District Court, Northern District of Georgia

## **PUBLICATIONS**

- Author, "Not Everything Is Bigger in Texas: Court of Appeals Reverses Trial Court's Expansive Interpretation of Indemnity Clause," *Constructlaw*, December 1, 2022.