

Edward R. Philpot

Partner

Atlanta

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Drawing on significant experience with all types of construction, delivery methodologies, and both bespoke and industry forms, Ed achieves tailored results for numerous national developer and owner clients on transactional, project counseling, and litigation matters.

OVERVIEW

With a focus on construction law, Ed's experience includes representing public and private clients across the U.S. in matters throughout the entire lifecycle of the project, ranging from contract preparation and negotiation, to alternative dispute resolution proceedings and litigation. Ed collaborates with each client to develop forward-thinking strategies tailored to their specific needs.

He counsels and represents major developers, owners, equity investors, and contractors in all phases of the construction process and on a wide range of projects, including all forms of industrial, commercial, residential, and infrastructure construction, utilizing the full array of delivery methodologies. Ed has vast experience preparing and working with a wide range of bespoke project agreements and all types of construction industry agreement forms (AIA, DBIA, ConsensusDocs, etc.).

REPRESENTATIVE MATTERS

- Served as counsel to major national industrial, commercial, mixed-use, multifamily, and build-to-rent developers in all aspects of the preparation and negotiation of construction and professional services agreements and response to claims and project management issues on projects across the United States.
- Served as counsel to the developer of a \$2.6 billion electric vehicle battery plant, handling procurement, drafting, and negotiation of construction and professional services agreements, and advising on and negotiating project claims issues.
- Counseled a major aerospace company in the preparation, review, and negotiation of vehicle manufacturing facility construction agreements and EPC apparatus construction agreement.
- Counseled a major U.S. airport on its construction of a new international terminal, including public committee representation for procurement matters, preparation, review, and negotiation of construction and professional services agreements, and advised on claims and risk issues on construction projects.
- Served as counsel to a major U.S. airport in peer review of multibillion dollar automated people mover design-build-finance-operate-maintain agreement.

- Served as counsel to renewable energy clients in evaluating and responding to delay, impact, force majeure, and other construction claims issues.
- Served as counsel to general contractor clients in the negotiation of general indemnity agreements with national sureties and in the preparation, review, and negotiation of construction agreements.
- Counseled a developer in addressing construction issues in the creation of a vertical subdivision and condominium.
- Counseled an expressway authority client in the evaluation of risks and negotiation of agreements concerning construction and operation of a high-speed rail line in right-of-way.

AWARDS

- *Best Lawyers in America®: Ones to Watch: Construction Law (2025)*

TOP AREAS OF FOCUS

- Construction
- Construction Litigation

EDUCATION AND CERTIFICATIONS

EDUCATION

- Emory University School of Law, J.D., 2013
- Duke University, M.A., 2010, economics, Economics
- Duke University, B.S., 2008, economics; mathematics, Economics; Mathematics

BAR ADMISSIONS

- Florida
- Georgia

COURT ADMISSIONS

- U.S. District Court, Middle District of Florida
- U.S. District Court, Southern District of Florida

CLERKSHIPS

- Hon. Cynthia C. Jackson, U.S. Bankruptcy Court, Middle District of Florida, 2013-2015

PUBLICATIONS

- Author, "Louisiana Court Enforces AIA Waiver of Subrogation to Preclude Carrier's Recovery," *ConstructLaw®*, February 7, 2023.