

John J. Gazzola

Partner

Philadelphia

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John focuses his practice on complex construction-related matters, representing clients in state and federal court litigation, domestic and international arbitration, project counseling, and contract negotiations.

OVERVIEW

John has spent the last decade representing project owners, EPC contractors, design-builders, general contractors, and specialty subcontractors in complex construction disputes arising from a variety of large-scale construction projects across the United States and abroad. He has represented clients in disputes arising from the design and construction of mass transit systems, renewable energy projects (including wind, solar, and hydropower projects), fiber optic networks, manufacturing facilities, hotels, and other large commercial and industrial buildings. John has extensive experience in state and federal courts and domestic and international arbitration proceedings.

Beyond dispute resolution, John counsels clients in the drafting and negotiation of construction contracts. He leverages his disputes experience to provide valuable counseling to clients throughout the project lifecycle, advising clients on claim and defense strategies, dispute avoidance, strategic negotiations, and informal dispute resolution.

John is a member of the American Bar Association's Forum on Construction Law and is active in the forum's Litigation and Dispute Resolution division. He frequently writes and presents on developments and emerging trends in construction law.

John is active in firm recruiting and mentors junior associates. He also leads the Construction practice group's Knowledge Management and AI initiative.

Outside of the office, John is active in his alma maters' alumni associations, including the St. Joseph's Preparatory School President's Advisory Council and the Harvard Varsity Club.

REPRESENTATIVE MATTERS

- Represented a general contractor in pursuing upstream claims against a project owner for the delay and inefficiency arising from the renovation and expansion of a manufacturing facility in Wyoming.
- Served as arbitration counsel to a general contractor in a dispute against electrical subcontractor concerning claims for the delay and inefficiency arising from renovation and expansion of a manufacturing facility in

Wyoming.

- Served as arbitration counsel and project counsel to a multinational tunneling contractor involved in an international arbitration pursuant to the ICC Rules of Arbitration in connection with a multimillion-dollar construction payment dispute arising out of a hydroelectric power project in South America.
- Represented the owner of a wind farm in resolving disputes against equipment supplier relating to serial defects in wind turbines.
- Represented an EPC contractor in a dispute with a project owner on a multibillion-dollar build-out of a new fiber optic wireless network in various markets throughout the southeast U.S.
- Represented a civil joint venture in claims against its designer arising out of a multibillion-dollar mass transit system project in Canada.
- Represented a design-build contractor in contractual dispute resolution procedure against a project owner arising out of discovery of subsurface latent conditions at a mass transit construction project in Canada.
- Represented a general contractor in a dispute against its HVAC subcontractor arising out of the construction of a senior living facility in Connecticut.
- Represented a general contractor in claims against a project owner and various subcontractors arising out of construction of a large hotel and mixed-use facility in Philadelphia, PA.
- Represented a general contractor in disputes against various subcontractors arising out of the construction of a dormitory and dining facility on a college campus in Delaware.
- Represented a ductbank subcontractor in a dispute against construction manager arising from construction of a major subway system in the D.C. Metro Area.
- Represented a rail car manufacturer in a dispute concerning the operation and maintenance of train sets for a significant mass transit system serving the northeast corridor.
- Represented a property owner in a dispute against a general contractor and architect involving claims of defective design and construction of exterior building envelope in New Jersey.
- Represented a project owner in negotiating a Guaranteed Maximum Price contract for the construction of a townhome community in New Jersey.
- Represented a commercial property owner in negotiating contracts for various renovation projects at commercial sites located in Pennsylvania.
- Represented an industrial warehouse owner in negotiating a Guaranteed Maximum Price contract for the construction of temperature-controlled facilities in Massachusetts.

AWARDS

- *Chambers USA*: Construction, Pennsylvania, "Associate to Watch" (2025)
- *Best Lawyers in America®*: Ones to Watch: Construction Law (2021, 2022, 2024-2026)

TOP AREAS OF FOCUS

- Construction
- Construction Litigation
- International Construction Projects

ALL AREAS OF FOCUS

- Construction
- Construction Litigation
- Energy Construction

- International Arbitration
- International Construction Projects

EDUCATION AND CERTIFICATIONS

EDUCATION

- Rutgers Law School – Camden, J.D., *summa cum laude*, 2016, executive editor, *Rutgers University Law Review*; Award for Outstanding Scholastic Achievement
- Harvard University, B.A., 2011, government

BAR ADMISSIONS

- Pennsylvania
- New Jersey

SPEAKING ENGAGEMENTS

- Speaker, "Insights on Domestic and International Arbitration Proceedings Regional Workshop," Society of Construction Law North America, September 10, 2025.
- Moderator, "Emergency Arbitration and Expedited Arbitration," Troutman Pepper Locke International Arbitration Forum, May 15, 2025.
- Moderator, "Emerging Trends in International Arbitration: Emergency Arbitration and Expedited Arbitration," Troutman Pepper LLP, International Arbitration Conference, Houston, Texas, May 15, 2025.
- Moderator, "A Primer on International Arbitration for the Domestic Construction Lawyer," ABA Forum on Construction Law, Division 1 Toolbox Talk Series, April 17, 2025.
- Speaker, "Key Considerations for Drafting Effective Construction Contracts," National Business Institute Webinar on Pennsylvania Construction Law from Start to Finish, March 14, 2025.
- Speaker, "Preparing and Presenting Construction Damages," Construction CPM Conference, Philadelphia, PA, January 22, 2025.
- Moderator, "Fern Hollow Bridge Emergency Replacement Project," ABA Forum on Construction Law Annual Meeting, Pittsburgh, PA, October 2024.
- Co-speaker, Overview of Common Claims Arising from Construction Projects, National Business Institute Webinar, October 17, 2024.
- Session coordinator, ABA Forum on Construction Law, 2024 Annual Meeting.
- Practicing and Parenting, ABA Forum on Construction Law Young Lawyers' Division, March 2024.
- Speaker, ABA Forum on Construction Law's Regional Meeting in Philadelphia, November 2-3, 2023.
- Regional coordinator, ABA Forum on Construction Law 2023 Regional Program: Foundations of Construction Law / Sticks & Bricks, Philadelphia, PA, November 2023.
- Speaker, "Making Changes to Construction Contracts," Construction Contract Workshop hosted by HalfMoon Education Live Continuing Education Webinars, December 1, 2022.
- Speaker, "Litigating Construction Related Claims in Pennsylvania," Pennsylvania Construction Law webinar hosted by HalfMoon Education Live Webinars, July 22, 2022.

PUBLICATIONS

- Co-author, "Will DBE Fraud Continue to Be Prosecuted? The Impact of the *Kousisis* Decision in the Shifting

Affirmative Action Landscape,” *Troutman Pepper Locke*, June 6, 2025.

- Co-author, “Pennsylvania Appellate Court Clarifies Recovery and Service Requirements of Mechanics’ Lien Law,” *ConstructLaw*, February 28, 2024.
- Co-author, “Chapter 8: Technology Tools for the Construction Litigation,” *Technology in Construction Law, A Legal Guide*, American Bar Association, August 11, 2023.
- Co-author, “Suppliers Beware: U.S. Government Continues Prosecution of Disadvantaged Business Enterprise Fraud Cases Involving Supplies Passed Through Disadvantaged Business Enterprises,” *Pratt’s Government Contracting Law Report*, August 2023.
- Author, “PA Appellate Court Issues Strong Reminder: CASPA’s Fee-Shifting Mechanism Applies to Subcontractors, Contractors, and Owners Who Prevail in Payment Disputes,” *ConstructLaw*, July 20, 2023.
- Co-author, “Suppliers Beware: US Government Continues Prosecution of DBE Fraud Cases Involving Supplies Passed Through DBEs,” *Troutman Pepper*, April 26, 2023.
- Co-author, “Troutman Pepper Guide to International Arbitration,” *Troutman Pepper*, April 17, 2023.
- Author, “Statutory Remedies for Non-Payment on Public and Private Construction Projects,” *ABA Forum on Construction Law*, September 9, 2022.
- Author, “Pennsylvania Appellate Court Affirms Dismissal of In-State Subcontractor’s Suit Against Out-of-State General Contractor for Lack of Jurisdiction, Despite ‘Long-Term and Ongoing Contractual Relationships’,” *ConstructLaw*, March 1, 2022.
- Author, “Supreme Court of Minnesota Holds Ventilator Motor Incorporated Into a Home’s HVAC System Qualifies as ‘Machinery’ Excepted From the State’s Ten-Year Statute of Repose,” *ConstructLaw*, July 26, 2018.
- Author, “Divided Delaware Supreme Court Holds Highway Contractor Owes a Common Law Duty to Provide for the Safety of the Traveling Public, Above and Beyond Its Approved Traffic Control Plan,” *ConstructLaw*, May 31, 2018.
- Author, “How Much Control Is Too Much Control? Federal Court in Florida Holds Designers’ Supervision of Project and Issuance of Design Documents Creates Control Over — And Potential Tort Liability To — Project Contractors,” *ConstructLaw*, May 3, 2018.
- Author, “California Supreme Court Clarifies That ‘Right to Repair Act’ is Exclusive Remedy for Both Economic Loss and Property Damage Arising From Construction Defects,” *ConstructLaw*, February 22, 2018.
- Author, “Mississippi Federal District Court Permits General Contractor’s Negligence Claim to Proceed Against Project Consultant Given Consultant’s Contractual Obligations to Owner,” *ConstructLaw*, January 11, 2018.
- Author, “In Dismissing Homebuyer’s Defective Construction Suit Against Contractor for Lack of Privity, Supreme Court of Utah Cautions Future Homebuyers to Obtain Express Assignment of All Available Warranties at Time of Acquiring Home,” *ConstructLaw*, November 9, 2017.
- Author, “U.S. Court of Claims Denies Contractor’s ‘Superior Knowledge’ Claim Against Owner Despite Owner’s Withholding of Reports That Would Have Revealed to Contractor Extent of Subsurface Deterioration of the Wharf to be Reconstructed,” *ConstructLaw*, October 12, 2017.
- Author, “You Cannot Have it Both Ways: Missouri Appellate Court Holds City Cannot Bring a Complaint for Breach of a Contract and Plead in Response to a Counterclaim That the Same Contract Is Void,” *ConstructLaw*, August 3, 2017.
- Author, “Owners Beware: Washington Appellate Court Holds Playing ‘Gotcha’ With Project Submittal Review Could Breach the Duty of Good Faith and Fair Dealing,” *ConstructLaw*, June 15, 2017.
- Author, “No Negligence? No Causation? No Problem. Arizona Appellate Court Holds General Contractor Need Not Prove Subcontractor’s Negligence or Causation To Be Indemnified,” *ConstructLaw*, April 27, 2017.
- Author, “Kentucky Appellate Court Holds That a Contractor May Pursue Claim of Negligent Misrepresentation Against Architect Despite Lack of Contract, the Economic Loss Rule, and Project Waivers,” *ConstructLaw*, February 23, 2017.