

## William B. Davis

### Senior Counsel

#### PRACTICE EMPHASIS:

Construction law; litigation; arbitration and mediation

#### EDUCATION:

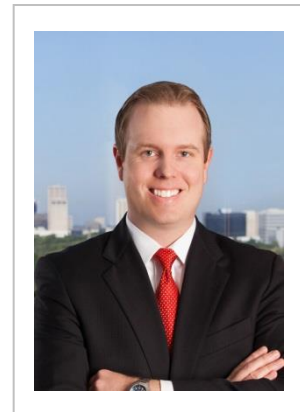
J.D., South Texas College of Law, 2008  
B.A., The University of Texas at Austin, 2003

#### ADMITTED:

State Bar of Texas

#### COURT ADMISSIONS:

U.S. District Court, Northern, Eastern and Southern Districts of Texas



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#### Profile:

Billy Davis is a construction lawyer. His practice is focused on construction litigation, dispute resolution, and claims counseling. Billy's clients include owners, developers, general contractors, subcontractors, and suppliers. An accomplished advocate, Billy has represented clients as both plaintiffs and defendants in state court, federal court, and in arbitration proceedings. His experience includes representation of clients in a wide range of construction-related disputes, including matters related to: breach of contract, breach of warranty, contractual and statutory indemnity, performance and payment bond claims, construction defect claims, delay and disruption claims, fraud claims, mechanic's and materialman's lien claims, mineral lien claims, prompt payment claims, trust fund claims, bid protests, bid mistakes, differing site conditions, and contract termination. In addition to his litigation and dispute resolution practice, Billy drafts, reviews, and negotiates construction contracts. Billy also has significant experience with insurance coverage claims and insurance litigation.

#### Professional Recognition:

"Texas Rising Star," *Texas Monthly*, 2014 – 2017

#### Affiliations:

State Bar of Texas  
Houston Bar Association, Construction Law and Litigation Sections  
Houston Young Lawyers Association  
RIMS, the Risk Management Society, Houston Chapter  
Associated Builders and Contractors  
American Subcontractors Association  
The Associated General Contractors of America

### Representative Experience:

- Served as first-chair trial counsel for a specialty subcontractor in a lawsuit involving the prosecution of breach of contract, payment bond, and extra work claims due to differing site conditions. A week-long jury trial resulted in a verdict for 100% of the damages claimed by our client, a finding of no liability on our opponent's counter-claim, plus an award of approximately 90% of the clients attorneys' fees.
- Led prosecution of heavy civil contractor design defect, breach of contract, and breach of warranty claims in litigation against multiple engineering firms arising from a bridge lift system failure during a maintenance project for the Harris County Toll Road Authority. A significant confidential settlement was obtained for the client prior to trial.
- Represented metal building manufacturer in prosecution of breach of contract and payment bond claims against general contractor. A settlement was secured for more than 95% of the clients claim.
- Defended subcontractor against large-scale construction delay, construction defect and water damages claims relating to construction of 33-story hospital systems development.
- Represented EPC contractor in prosecution of non-conforming goods/defective workmanship claims, delay, and disruption claims against fabricator of pressure vessels to be used in a petrochemical processing facility expansion project.
- Led prosecution of structural steel erection contractor delay, investigation, emergency mitigation, and cover cost claims in litigation against crane operator arising from a crane accident at a construction project site. A significant confidential settlement was obtained for the client.
- Represented Design-Builder in defense of multi-million dollar property damage claims due to differential foundation movement at a large retail store.
- Represented commercial general contractor in defense of construction defect and water intrusion claims at a large condominium development.
- Represented commercial landscaping contractor in claim for wrongful termination by owner, recovering a significant portion of amounts owed for work performance and paying none of the liquidation damages sought by the owner.
- Represented multi-family developer in two separate arbitrations of construction defect claims against the general contractor and architect.
- Represented multi-party owners in prosecution of construction defect claims against the general contractor.
- Represented heavy civil subcontractor as second chair counsel in federal court in defense of indemnity claims brought by the bonding/surety relating to complex, multi-state projects.
- Successfully represented multi-party clients as second chair counsel in a four-day arbitration relating to breach of contract, fraud, negligent misrepresentation, breach of fiduciary duty and conversion claims on a foreign industrial gas facility, resulting in a take nothing award on all claims in our clients' favor.
- Served as second chair counsel in the prosecution of a fraudulent transfer lawsuit, successfully representing a client who was the victim of an investment scam.
- Managed docket of first-party bad faith lawsuits on behalf of institutional insurance client; effected efficient resolution of all claims by obtaining summary judgment and negotiating favorable settlements.

Billy B. Davis

**Speeches and Publications:**

- "Killer Contract Clauses," Texas Council of Engineering Laboratories, November 2016
- "Disruption Claims: Court Weighs in On Scope of County Immunity," Andrews Myers Monthly Law Alert, June 2016
- "Understanding Issues in Contract Administration," HalfMoon Construction Contract Seminar, March 2016
- "Contracts from the General Contractor's Perspective," The Basic Course in Texas Construction Law, November 2015
- "Improve Your Success in Getting Insurance," Build Houston magazine, June/July 2014
- "Construction Change Orders," Lorman Seminar, April 2014
- "Change Orders and Claims," Associated Builders and Contractors Seminar, March 2014
- "Texas Legislative Updates," Private Client Events, 2011-2012
- "Texas Legislative Updates," Greater Houston Metropolitan Paralegal Association, 2011
- Five Things You Should Know About Texas' New Tort Reform Law, Newsletter, July 2011