

William B. Davis

Shareholder

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:

Board Certified in Construction Law by the Texas Board of Legal Specialization, Billy Davis' practice is focused on construction litigation, dispute resolution, and claims counseling. Billy's clients include multiple parties in the project delivery chain: general contractors, subcontractors, material suppliers, developers, project sponsors and owners. He has represented clients as both plaintiffs and defendants in state court, in federal court and in arbitration proceedings.

Billy's experience covers a wide range of construction-related disputes. He has handled and advised clients on issues related to: breach of contract, breach of warranty, contractual and statutory indemnity, performance bond 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.

As a compliment to his litigation, dispute resolution and claims counseling practice, Billy often assists clients in the drafting, review and negotiation of contracts related to construction projects. Additionally, issues involving insurance often arise on construction projects. Billy has experience evaluating insurance claim issues, evaluating insurance coverages, and helping clients navigate insurance claims.

Professional Recognition:

Board Certified in Construction Law, Texas Board of Legal Specialization, 2017
"Texas Rising Star," *Texas Monthly*, 2014 – 2020
Fellow, Texas Bar Foundation

Affiliations:

State Bar of Texas
- Construction Law Section
- Litigation Section
- Insurance Section
Houston Bar Association
- Construction Law Section (Governing Council, Secretary/Treasurer 2019-2020, Chair-Elect 2020-2021)
- Litigation Section

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Affiliations (Cont'd)

Houston Young Lawyers Association
RIMS, the Risk Management Society, Houston Chapter
Associated Builders and Contractors
American Subcontractors Association
Associated General Contractors of Texas, Houston Chapter

Representative Experience:

- Represented heavy civil contractor in prosecution of construction efficiency impact claims against public entity. Defeated the public entity's claims of sovereign immunity through appeal. The case was settled on terms favorable to the client.
- 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 client's attorneys' fees.
- Represented multi-family developer/owner as lead counsel in delay claims against general contractor on multiple projects. The claims were resolved on terms favorable to the client.
- 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 Houston-area country club in prosecuting claims against its insurance broker for failing to procure insurance coverage required and requested by the club. A favorable, 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.

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Representative Experience (Cont'd)

- 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.

Speeches and Publications:

- "Majority of Texas Businesses at 50% Occupancy," AM Monthly Law Alert, January 2021
- "Contracts," AGC Construction Leadership Council, June 2019
- "Construction Contracts," HalfMoon Education Seminar, June 2019
- "Contract Law," Associated General Contractors, May 2019
- "Contracts," AGC Construction Leadership Council, April 2019
- Lead Attorney on Mock Trial Team, Associated Builders and Contractors, April 2019
- "Arbitration: Smarter. Faster. Cheaper," AM Monthly Law Alert, September 2018
- "Texas Lien and Bond Claims," Houston Bar Association, Real Estate Section, April 2017
- "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