

CONSTRUCTION DEFECT CLAIMS IN CALIFORNIA

San Bernardino, CA

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Jay Freedman, Newmeyer & Dillion LLP
Malcolm Lewis, P.E., CTG Forensics, Inc.
Donald W. MacGregor, Bert Howe & Associates, Inc.
Luke P. Ryan, Esq., Sildorf, Shinnick & Ryan LLP

Critical Issues on the Agenda

- I. Overview**
- II. Theories And Sources Of Liability**
 - a. Theories
 - i. Contract/Warranty
 - ii. Tort
 - iii. SB 800
 - iv. Licensing
 - b. Sources
 - i. Water
 - ii. Cracks
 - iii. Noise
 - iv. Code Violations
- III. Defenses To And Preventions Of Liability**
 - a. Defenses
 - i. Statutes Of Limitations
 - ii. Statutes Of Repose
 - iii. Standing
 - iv. Diminution Less Than Cost Of Repair
 - b. Prevention
 - i. Supervision
 - ii. Peer Review
 - iii. Customer Service
- IV. Calderon vs. SB 800**
 - a. Legal And Practical Procedural Issues
 - b. Legal And Practical Substantive Issues
 - c. ADR
 - i. Mediation
 - ii. Arbitration
 - iii. Judicial Reference
 - iv. Jury Waivers

V. Indemnity

- a. Definitions
- b. Equitable Indemnity
- c. Contractual Indemnity
- d. Good Faith Settlement
- e. Pending Legislation

VI. Insurance

- a. Property Insurance – Builder’s Risk
- b. Liability Insurance – Commercial General Liability (CGL)
- c. Additional Insured Endorsements
- d. Wrap Policies

THE BENEFITS FOR YOU:

This seminar teaches the legal basis for construction defect claims, the statutes of limitations that apply to such claims, the detailed procedures that must be utilized in pursuing and recovering for such claims and the applicable insurance coverage, both under the old law and SB 800.

Seminar Highlights:

- New Claims
- New Defenses
- Procedural requirements
- Risk Transfer
- New cases and legislation

Learning Objectives:

- The attendee will be able to discuss statutes of limitations.
- The attendee will be able to identify legal and practical procedural issues.
- The attendee will be able to review property and liability insurance.