

## Construction Litigation

Greenbaum's construction litigation team has a long history in building construction and design defect litigation. The firm has handled construction disputes related to construction projects of all kinds, including high-rise condominiums, warehouses, single family developments, churches, pier and factory conversions, municipal buildings and justice centers, bridges, retaining walls, athletic fields, parking lots, and parking garages.

Our team handles not only disputes involving construction and design issues, but also financial disputes that arise out of the New Jersey Construction Lien Law, surety and performance bond claims, and breach of contract and construction loan claims. We provide counsel related to disputes involving public and private bid protests, insurance coverage, scope of work, employment issues, professional malpractice, negligence, cost overruns, breach of contract, construction delays, project management, and budgeting issues.

The attorneys in this group have particular experience and depth of knowledge related to New Jersey's regulatory structure and its impact on the state's building and construction industry. Clients in this area of our practice regularly include developers and builders, property owners, common interest communities, general and specialty contractors, architects and engineers, material suppliers, insurers, lenders, and public sector entities. We provide representation in federal and state court, in alternative dispute resolution (ADR) proceedings, and at hearings before local and county construction boards of appeal and the Office of Administrative Law (OAL).

### Practice Leaders



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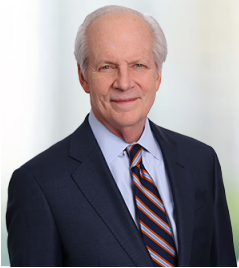
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## Experience

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### Representative Matters

- Representing a major property company and its affiliates in a series of Consumer Fraud Act and construction-defect lawsuits arising from the development and sale of luxury condominium units along Jersey City's Hudson River "Gold Coast." The matters involve claims under the New Jersey Consumer Fraud Act, Planned Real Estate Development Full Disclosure Act, and related tort and contract theories, including alleged construction defects, loss of New York City views, and unit size disputes. Several cases have been tried to verdict and others resolved through settlement; current litigation involves claims by 19 plaintiffs alleging unit size discrepancies.
- Advised a general contractor on emergent insurance coverage strategy following a catastrophic crane accident at a New York City high-rise project, mitigating exposure stemming from an uninsured and insolvent subcontractor and addressing tens of millions of dollars in project delay losses.
- Represented the City of Elizabeth in complex infrastructure litigation arising from the premature collapse of retaining walls supporting a major roadway and bridge over the New Jersey Turnpike, following a \$3 million repair project.
- Represented Rutgers, The State University of New Jersey in high-stakes litigation and trial against a municipality concerning sewer utility access and alleged overcharges, including claims exceeding \$2 million. The firm successfully tried the case and is defending the result on appeal before the New Jersey Appellate Division.
- Represented the New Jersey Schools Development Authority in long-running condemnation and environmental remediation litigation, securing recovery of more than \$4 million in escrowed funds to reimburse cleanup costs incurred by the client.

- Representing a condominium association in \$15 million construction and governance litigation against multiple defendants, involving veil-piercing claims and allocation of responsibility for significant structural and common-area defects, while also advising on risk mitigation through renovation and construction contracts.
- Represented a condominium association in litigation against a developer for alleged construction and design defects and financial misrepresentations, securing an eight-figure settlement during trial.
- Representing residential property owners in a multi-million-dollar construction defect and consumer fraud action arising from a high-end renovation project in Glen Ridge, asserting claims for cost overruns, defective workmanship, unauthorized changes, and violations of the New Jersey Consumer Fraud Act.
- Representing the owner of a large mixed-use residential development in Harrison in an appeal of a municipal withdrawing of a construction permit, challenging alleged construction delays and seeking to avoid substantial project harm and related damages.
- Defending a developer and general contractor in construction litigation brought by a specialty subcontractor on a six-story mixed-use project in Bayonne, asserting counterclaims and third-party claims for professional malpractice, breach of contract, fraudulent inducement, and Consumer Fraud Act violations.
- Representing a commercial property owner in connection with defective design and installation of a solar photovoltaic system, including termination of the EPC contractor and pursuit of damages against contractors, subcontractors, suppliers, and design professionals.
- Advising a national energy solutions provider on the resolution and defense of mechanic's lien claims arising from EV charging station projects in the New York City metropolitan area, including discharging filed liens through bonding and developing lien avoidance strategies for future projects.
- Representing the owner of a large mixed-use residential development in Harrison in an appeal of a municipal withdrawing of a construction permit, challenging alleged construction delays and seeking to avoid substantial project harm and related damages.
- Negotiated the return of a multiple six-figure permit fee over-assessment improperly imposed by a municipality against a construction company in violation of the Uniform Construction Code.
- Prosecuted construction lien, Prompt Payment Act, bond, and contract claims on behalf of Merrick, a national engineering, architecture, surveying and geospatial firm, in connection with a biosolids gasification facility, resolving claims exceeding \$1.1 million and defending against counterclaims alleging professional negligence.
- Appeared before the New York Court of Appeals on behalf of a major construction company in a contract and arbitration dispute involving a corporate headquarters development, securing confirmation of an arbitration award.

## Insights & More

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### Announcements

Greenbaum, Rowe, Smith & Davis Recognized on 2026 "Best Law Firms" List by Best Lawyers

11.06.25

2026 Edition of Best Lawyers Recognizes 54 Attorneys in 41 Practice Areas: Eight Greenbaum Lawyers Recognized on “Ones to Watch” List

8.21.25

Thirty-Five Attorneys from Greenbaum, Rowe, Smith & Davis Selected for Inclusion in 2025 Edition of New Jersey Super Lawyers

3.19.25

Steven Nudelman Selected for Law360 2025 Real Estate Editorial Board

3.13.25

Greenbaum, Rowe, Smith & Davis Recognized on 2025 "Best Law Firms®" rankings by Best Lawyers®

11.06.24

2025 Edition of Best Lawyers Recognizes 56 Attorneys in 39 Practice Areas: Ten Greenbaum Lawyers Recognized on "Ones to Watch" List; Three Selected for "Lawyer of the Year" Recognition

8.14.24

Stephanie G. Reckord Elected Fellow of American Bar Foundation

7.09.24

Thirty-Four Attorneys from Greenbaum, Rowe, Smith & Davis Selected for Inclusion in 2024 Edition of New Jersey Super Lawyers

3.25.24

## **Seminars & Events**

AI in Construction Arbitration

5.13.26

Navigating the Complex Business Litigation Program - A Bench-Bar Perspective

5.13.25