

DESIGN PROFESSIONAL MALPRACTICE

When construction problems arise, it is often difficult to determine if they are the result of contractor error or a design defect caused by an architect, engineer or other design professional. As a result, design professionals are often made parties to litigation and arbitrations involving construction disputes. Our construction team is experienced in bringing claims against design professionals on behalf of project owners and in defending design professionals against such claims.

REPRESENTATIVE MATTERS

A New Jersey manufacturer hired an architect to design a connection to convert its two adjacent buildings into one large facility. When the connection floors for the two buildings failed to meet at the same elevation, the owner retained Cole Schotz to file suit against the architect. At the architect's deposition we established that the architect had calculated the height of the floors by measuring a few step risers and then multiplying this height by the number of steps. By demonstrating that this methodology relied on the mistaken assumption that the height of all of the step risers was uniform, our construction team was able to obtain a very favorable settlement for the owner shortly after the deposition.