



News & Notes

*Collegiality Newsletter of the
American College of Construction
Lawyers*

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PRESIDENT'S UPDATE

As you know, this is a very exciting time for the College as we welcome our newly elected Fellows. All 8 nominees who passed through the screening by the Membership Committee, discussion by the full Board and your review and comment enthusiastically accepted our offer to join the College. You will hear more about each of them in the next issue of College News & Notes but please feel free to reach out to each of our new Fellows to give them a collegial ACCL welcome. They will be formally inducted in February.

The Long Range Planning subcommittees on Participation, Scholarship and Give Back have begun the very important work of implementing the Long Range Plan that Pat O'Connor's team worked so hard to develop. Please let me know if you are interested in helping with any of these subcommittees. This is a long term commitment on the part of our College to chart our future. We will provide you with updates on our progress as the year progresses.

Work on the ACCL website continues. At the recent Board meeting we agreed to fund an immediate "fix" to the website and explore options for a longer

term overhaul which will involve a more significant capital expense. Steve Nelson and Mark Healy are looking at our options and are working diligently on that project.

The ACCL was well-represented at the recent ADR Summit in Austin hosted by the ABA Forum on Construction Law. There were a total of 27 speakers for plenary and workshop sessions and 17 of those were College Fellows (with one more being a newly elected Fellow!).

Finally, I'm pleased to report that Anne Gorham has put together an outstanding program for our 2016 Annual Meeting. All of the sessions are set and speakers are in place. We're very excited about our return to the Montage in Laguna Beach and hope that you have February 18-21, 2016 blocked out on your calendar. Registration information will be coming to you within the next few weeks.

Our next Board meeting is November 14 in New Orleans. All Fellows are welcome to attend if you are in the area. Please let me know if you have any issues of interest that you would like addressed by the Board.

- C. Allen Gibson, Jr., President



FUTURE MEETINGS OF INTEREST

HOLD THESE DATES for future ACCL meetings:

February 18-21, 2016	March 16-19, 2017
ACCL Annual Meeting	ACCL Annual Meeting
Laguna Beach, CA	Amelia Island, FL



COLLEGIALITY CORNER

Fellows from around the country have written in with the following stories about their recent or upcoming adventures:



David Hendrick Memorial

**Associated Builders and Contractors
Dedicates Training Center in the
Name of David R. Hendrick**
(July 8, 2015 Press Release)

GEORGIA – The Associated Builders and Contractors (ABC) of Georgia recently dedicated its training center in the name of the late David R. Hendrick, Esq., of the law firm Hendrick, Phillips, Salzman & Flatt. One of the association's most impactful members, Mr. Hendrick passed away in September of 2014. The official dedication took place on June 19, 2015, at ABC of Georgia Headquarters in Sandy Springs.

Mr. Hendrick was an active member of ABC of Georgia for more than 30 years. At the time of his death he had been serving a term on the board of directors since 2012. Mr. Hendrick also served as the association's legal counsel from 1998 – 2010.

Over 50 individuals attended the dedication ceremony, at which a bronze plaque was unveiled bearing Mr. Hendrick's likeness and an inscription. Phil Greeves, CEO of JAMCo, Inc., and 2015 chairman of the board for ABC of Georgia, along with Jim Taylor, former president of Balfour Beatty Construction and ABC of Georgia's chairman of the board in 1990, officiated the ceremony.

"David gave his time and talents to ABC for over 30 years," said Greeves. "He will truly be missed for his wisdom and his dedication to our industry." Taylor added that Mr. Hendrick's commitment to educating the construction community was unmatched. Mr. William D. Flatt, Esq., partner at the law firm founded by Mr. Hendrick, spoke of Mr. Hendrick's achievements as a top construction attorney, and of his life as husband, father and grandfather.

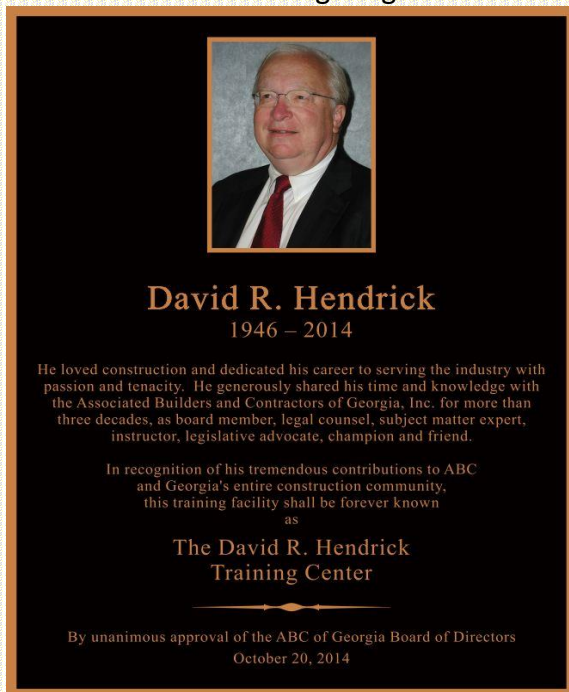
The plaque's inscription reads: "In recognition of his tremendous contributions to ABC and Georgia's entire construction community, this training facility shall be forever known as The David R. Hendrick Training Center."

Mrs. Emily Hendrick, Mr. Hendrick's wife of 46 years, attended the proceedings and thanked the association for the "tremendous honor."

A long-time member of ABC's Management Education Committee, Mr. Hendrick was one the association's most prolific and well-regarded presenters on construction law, and presented hundreds of seminars during his career. As a member of ABC's Legislative Committee, Mr. Hendrick was very involved in assisting with legislative initiatives relating to licensing, lien rights and bonding issues. On behalf of ABC, he was involved in the legislatively appointed task groups that shepherded the general contractor licensing statute and massive lien law revisions through the legislative process over the past decade. He was also a member of the ABC National Contract Documents committee.

In 2011, Mr. Hendrick was recognized by ABC of Georgia as a "Champion of Free Enterprise and Open Competition" for his support of and ongoing service to the organization. He was deeply committed to ABC's mission and philosophy, and to continue to serve toward that end.

ABC of Georgia represents nearly 300 of Georgia's commercial and industrial contractors, subcontractors, suppliers and service firms, representing more than 2,500 employees. ABC supports the merit shop philosophy of construction that emphasizes free enterprise and open competition. The statewide organization is one of 70 chapters of the Associated Builders and Contractors in Washington, D.C., with nearly 21,000 member companies across the country. Learn more at www.abcga.org.



MASSACHUSETTS - A planned transition from one firm to another was derailed by an unresolved conflict, so Stan Martin has set up his own firm: Commonsense Construction Law LLC.

ILLINOIS - Stan Sklar recently completed teaching Commercial Arbitration at Pepperdine University this summer.

In addition, Stan will be speaking at the ABA Forum on Construction ADR Summit. His topic

which may be controversial is "How the Trial Bar has hijacked commercial arbitration." Tom Stipanowich and Dean Thompson join Stan on the podium to report on their respective surveys on commercial arbitration.

Stan will also be presenting a seminar on Ethical Issues for Construction Lawyers sponsored by the Illinois Institute for Continuing Legal Education.

NORTH CAROLINA - Lynn and Ed Cassady teamed with Wendy and Allen Gibson to win the Mountaintop Member Guest golf tournament in August. After two rounds in the crisp, cool North Carolina Mountains the Cassady/Gibson team had won their flight and proceeded to the Shootout where the competition was heated. Only Lynn (who was also celebrating her birthday) remained calm under the pressure and her net Eagle was enough to secure the win for the team by one stroke! The celebration on the green was captured in this photo.



WISCONSIN - Kim Hurtado was featured in an article in the September issue of Fortune magazine, Women Leaders in the Law 2015, as one of the top fifty women who are named in Martindale Hubbell's Register of Preeminent Women Lawyers. She was also named as a Fellow in the Litigation Counsel of America at their Annual Meeting in Charleston, SC.

WASHINGTON D.C. - A number of Washington, DC metro area Fellows, most with spouses, had a very pleasant dinner on Saturday, September 26 at a restaurant in Washington DC. What we all enjoyed most was a relaxed atmosphere and the ability to actually sit and chat about something other than legal events. Politics was a big discussion factor, of course, because this was a Washington DC dinner. Many thanks to Allan Gibson for providing me with a summary of events from the summer Board meeting which I related to the Fellows and which we also discussed. Everyone looks forward to receiving the ACCL hardhat although, for us lucky founders, it will be our second.

WASHINGTON D.C. - The ABA Section on Dispute Resolution just nominated Ava Abramowitz to be the co-Chair of its Mediation Committee.

WASHINGTON (STATE) - Lynn and John Ahlers, the Mystery of the Disappearing Chicken Flock: We live on Cougar Mountain in Issaquah, Washington, which borders on a nature preserve. Lynn, at the beginning of summer, had eight fat hens she raised from chicks last year who provided her and our neighbors with fresh eggs. As this summer progressed, her flock was mysteriously decreasing in number. The pen is netted (to protect the birds from hawk aerial attacks) so their disappearance was puzzling. Undeterred, Lynn set up a gamecam (game camera) to get to the bottom of the flock's decline. After a few evenings, the culprit showed herself. A female bobcat turned out to be the raider. (See video)

At the time we discovered the feline bandit, and blocked her further attacks, we were down to a single hen. Then we thought that was the end of an interesting phase of living in the country, until a neighbor took this picture of three bobcat kits in a tree. It appears that Lynn's well-fed pullets nourished a whole new passel of future poultry pirates! Without Lynn's high protein chickens, it is not likely the bobcat would have given birth to three cubs.



Having survived the bobcat, we are now under attack from apple-thieving bears (see picture). The bear has one of our Jonathan apples in his mouth.





WYOMING – Patrick and Carrie O’Connor, Buzz and Holly Tarlow hiking in Teton National Park after the ACCL Board of Governors’ meeting in Jackson Hole Wyoming in August.

EDITOR’S NOTE

I hope that all of you enjoyed a happy and healthy summer. It is a real pleasure to report on all of the goings on of the many talented members of the College. Let me add that below is a photograph of a small black member of the ursine family cruising the halls of the Bozeman, Montana High School. While John Ahlers has reported in this issue with regard to the bears in the woods of Washington State, my only remark is to note the bears in Montana are obviously better educated.



One final note about News & Notes, if, and when you send me emails regarding matters of interest, you

would please put in the RE line “News & Notes” then I am most easily able to pick it out of my ever increasing email inbox and make sure I include it in the next issue.

I wish you all the best of the fall season.

John H. “Buzz” Tarlow

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