



ACCoLades

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American College of Construction
Lawyers*

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PRESIDENT'S UPDATE

*The evil men do lives after
them; the good is oft interred
with their bones.*

(William Shakespeare,
Julius Caesar)

Earlier this month, I enjoyed taking my family to visit the ruins of Chichen Itza in the Yucatan jungle. Chichen Itza was already an important city by around AD 600, and it had become a regional capital by the Ninth Century. As many as 50,000 Mayans may have lived there at its height, but the city had already declined substantially before the Spanish conquistadors arrived in the early 16th Century. Although the Mayans had a written language,

almost all of their writings were destroyed or lost, leaving modern historians and archaeologists with much uncertainty about their history and culture.

As we reflect on our own professions and work product in the 21st Century, there is certainly no shortage of written record. A future researcher with access to our emails and timesheets could reconstruct many of our daily activities in great detail. But what will remain as a monument to the nobler achievements of our careers and individual lives? How will we transmit the best things we have learned to those who come after us?

Of course, part of the answer is that each generation conveys its collected wisdom to the next generation, hoping that the young can be taught to avoid the mistakes that their ancestors made in their journeys of trial and error. Many of us also devote time to supporting non-profit organizations that care for the physical and spiritual needs of others.

But in our particular profession, the American College of Construction Lawyers occupies a special place where it has its own small opportunity to provide useful service. Through our published articles, program presentations, and service as neutrals, our College Fellows can make real improvements in the prevailing standards of ethics and legal advocacy. In so doing, we can help build up a legal system based on fair and predictable principles that maintains the rule of law against those who in every generation seek to chip away at it. Our legal profession is in turn part of a larger network of institutions that hold civilization together in a world where entropy pushes all things toward disorder.

The ancient Mayans knew how to build. Their stone temples and ball courts have stood for more than a thousand years. Their sophisticated astronomical alignments and subtle acoustical features continue to amaze. Very few words survive from the ancient Mayans, but their work speaks loudly for the brilliance of their technical accomplishments. Today, by contrast, we legal professionals create endless streams of words, but it remains to be seen whether any of our good works will survive us.

It has been an honor to serve as your President over the past year. When Lincoln said at Gettysburg that his words would soon be forgotten, he was fortunately quite wrong. Along a similar line, I hope that the good we do together will not be interred with our bones.

Warm Regards,

-Douglas Stuart Oles, President

FUTURE MEETINGS OF INTEREST

HOLD THESE DATES for future ACCL Meetings:

30th Annual Meeting

February 21-24, 2019
Vinoy Renaissance
St. Petersburg Resort
St. Petersburg, Florida

31st Annual Meeting

February 20-23, 2020
The Loews Ventana Canyon Resort
Tucson, Arizona

NEWLY ELECTED FELLOWS

George Bowles -



I'm a native Texan and have practiced law as a trial lawyer in Dallas since 1976 with Locke Lord.

Upon graduating from college in 1969, I was commissioned as an Ensign in the Navy. I spent my active duty on a destroyer stationed out of Newport, R.I. and fell in love with Rhode Island. For the better part of the last 30 years my wife, Mary, and I along with our two daughters and now their families have gone back to Newport and Middletown to spend at least part of our summers. We have three grandchildren (two girls and one boy), two in Dallas and one in Fernandina Beach, Florida. Both our daughters lived in New York City for over 15 years beginning in 2000, and we were ecstatic when my older daughter moved back to Dallas with her husband, a lawyer, and our two granddaughters in 2017. My younger daughter is married to a naval officer who is currently serving as the Executive Officer on a cruise missile submarine home ported in Kings Bay, Georgia.

After the girls left for school, Mary went back and got her Masters in Social Work doing stints in the psych wards at the VA and a North Dallas hospital. It was an intense but rewarding experience. She's been on semi-permanent hiatus since 2010, although I must say she remains my therapist.

For the past 42 years I have been extremely lucky to have tried a variety of cases. But my first and longest lasting love has been construction litigation. I have always found the construction bar to be a fun loving, close knit and professional group of men and women, even though we fight hard against each other in the courtroom and in arbitration hearings. I remember Bob Myers over 35 years ago kicking my butt in a trial in Brazoria County south of Houston in a delay case, and afterwards our becoming good friends, referring cases to each other. I feel confident that Joe Canterbury and I put several children through college by litigating against each other on the extension of the North Dallas Tollway back in the 1980's and 1990's. We settled our last case three weeks into a six-week jury trial with my client, the tollway authority, not only paying Joe's client a boatload of money but also getting from Joe the representation that he had no current plans to sue the Authority yet again. The Executive Director told me that he had had all the fun he could stand with Joe. I consider Joe Canterbury to be one of my closest friends and my mentor in the construction bar.

When we're not visiting our children and grandchildren, Mary and I love to travel. I love backpacking (mainly in the Northern Rockies-Glacier, Yellowstone, Wind River Range, Kootenay, and Banff), biking and swimming.

I feel honored and humbled to be included as a Fellow of the ACCL. It's a great organization, and I look forward to seeing everybody in February.

Michael Branca -



I was born in Silver Spring, Maryland in 1968, moved to Manassas, Virginia in 1979, and have lived the American Dream since. My dad was the son of a first-generation Italian-American who, among other jobs, drove a taxi cab in Washington, D.C. My mom is a coal miner's daughter from West Virginia, whose father died working in the coal mines before I was born. My mom left West Virginia after

high school to find work in Washington, met my dad, and they married when both were 19. Although neither graduated from college, both worked their butts off to provide for me, my older brother Mark, and my younger sister Missy. My brother and I were the first in the family to graduate from college. Mark is a civil engineer and real estate developer, and Missy teaches 5th grade.

As a first year at the University of Virginia in 1986, my plan was to become an orthopedic surgeon. Less than decent grades in chemistry and calculus (translated – I have no math or science aptitude) quickly changed my career path. Lacking any other idea of what to do, by end of second year, I declared economics as my major and decided to go to law school. I knew no lawyers and had no idea what lawyers did other than from watching TV and movies. Not so coincidentally, each summer during college, I worked as a laborer and plumber's helper for a commercial mechanical contractor in the DMV. Among other things, I learned that pay day was on Friday, stuff rolled downhill, and I really didn't want to work outside in the summertime in D.C. I graduated from UVA in 1990.

I entered George Mason Law School (now the Antonin Scalia Law School at George Mason) in Arlington, Virginia in the fall of 1990. At the time, Mason inhabited a former department store, complete with carpeting on the columns and some walls and sporting a neat escalator. I am the third Mason alum to be elected to the College, after Christine McAnney and Shannon Briglia. Several of my class-mates are also successful construction lawyers, and Mason now has a state-of-the-art campus and is an incubator for young construction lawyers.

I summered after my second year at the Alexandria construction boutique Thompson & Waldron. I had no idea there was even a thing called construction law but applied because I could highlight on my resume that I had worked for four summers as a plumber's helper. I spent 13 years at T&W and was fortunate to gain a lifetime of experience in those years. Tom Thompson remains my first mentor and lifelong friend. I am most fortunate that Tom saw something in me and gave me opportunities that most young lawyers could only dream of. During my time at T&W, I ran across a construction lawyer named Adrian Bastianelli, first as an

adversary, then as an arbitrator, a mediator, and lastly as co-counsel for a mutual client. In 2005, Adrian told me that he was starting the DC office of Peckar & Abramson, and asked me to join him. I had little knowledge of P&A and had no desire to work for a New York law firm. However, this was Adrian Bastianelli asking. I joined P&A in 2005 and 14 years later I'm the co-managing partner with Steve Seeger of the DC office of P&A.

I met the love of my life on September 10, 1982 when I was 13 years old. This was the first Friday of my freshman year of high school and there was a dance in the cafeteria after the Varsity football game. Robin was an older woman – a sophomore. We danced in the cafeteria, went to homecoming four weeks later (again in the cafeteria), became best friends, and have been going together ever since. Robin also graduated from George Mason University with a BS in Decision Sciences (now referred to as computer information systems). She helped develop some of the original accounting software that government contractors and construction companies use to this day. We married in 1992 and will celebrate our 37th year together later this year. Robin and I are the

proud owners of three kids: Michael a 23 year old graduate of Longwood University, Zach a 20 year old junior at James Madison University (both varsity baseball players in high school and club players in college), and Emma a 7th grader at Hayfield Secondary School, an equestrian and lacrosse player. The family is rounded out with Snick (Emma's horse), Pepper, Sam and Cody (our lab and shepherds), and Bella and Piper (the rabbits).

Stephen Dale –



I grew up in western North Carolina in a small town next to a collection of other small towns nestled in the Blue Ridge foothills. The state developed good opportunities for those of us in the lesser developed regions, and gave me the chance to move out of that small town and finish high school at the N.C. School

of Science and Math with other nerds much like myself. I later graduated from the University of North Carolina at Chapel Hill: a school I enjoyed so much I graduated twice, the first time from undergrad and the second time from law school.

Along the way, I crafted a dual degree program with George Washington University that took me to Washington, D.C. after finishing law school. While there, a friend of mine suggested I interview where he was clerking and see what I thought of construction law. I needed the money and showed up at Smith Pachter McWhorter in Tysons Corner knowing little about construction and nothing about construction law. Having survived the partner's-meeting-turned-interview, I was afforded the chance to learn the field and practice with several Fellows for whom I have the highest respect: Val McWhorter, Richard Smith, and John Cook. Along the way, Val introduced me to George Pierson, who paved the way for me to make the transition from private practice to inhouse service with Parsons Brinckerhoff, and ultimately opened the door to my current position with WSP. The practice of law inhouse has been an adventure, literally

taking me around the world and into parts of the law that were outside my contemplation before taking the plunge.

While still in private practice, I made a commitment to co-author from scratch a book on scheduling born from a case that I had been working on and a few ASBCA decisions that made no sense (at least to me). The wisdom of my decision to take on the project remains open for debate, given that my dreams of using associates and summer clerks for the research evaporated while I transitioned to inhouse work. Nevertheless, after countless weekends at my kitchen table and innumerable eyerolls from my wife, I am proud to have been afforded the opportunity to have the work published.

Although her version of the story may differ, my wife Mica (pronounced like the mineral) first stalked me while we were both in college at UNC. She left me alone for many years until catching me just after a long trial in the desert west. Taking advantage of my post-trial condition, she easily dazzled me, and we have been together for sixteen years. Mica spent a number of years on the Hill with the House Transportation & Infrastructure Committee and with

Sen. Mike Crapo before serving six years in the George W. Bush administration. In addition to continuing her work in politics, Mica also supports various animal rescue organizations nationally and close to home. We enjoy travelling the world together and trying very hard not to be thrown off horseback. I am intensely proud to call myself her husband, and I encourage all of you to spend time with her and get her side of our tale.

I am deeply honored and truly humbled to have the opportunity to be included among the Fellows of the ACCL. I am grateful to all the Fellows that have guided me on along the way to learn the practice and the business of construction law. Mica and I look forward to seeing all of you in February where we can catch up with old friends and enjoy making new ones.

Roberto Hernandez Garcia -



I am thrilled, excited and grateful to the ACCL for accepting me as a Fellow. It is an honor to be part of such a group of talented and outstanding construction lawyers. As I say always: I'm your friend in Mexico.

I take this opportunity to tell you that that in Mexico, we use two last names: the first one - in my case Hernández - belongs to the father's family, and the second one - García in my case - belongs to my mother's family. Since this is not common in the US, when I'm here, I use a hyphen between them: "Hernández-García", so it is clear that I'm not called García, but Hernández, or Hernandez García.

I was born in Mexico City and have lived here for all my life, except for 6 years when I lived in Cuernavaca, a city close to Mexico City. I was an only child for 20 years. When I was 20, my parents received (by good surprise!) my only brother.

I went to law school in the Universidad Panamericana Mexico City, where I also got my Master Degree Summa Cum Laude. I made my doctorate studies, and a pending thesis is going on its way.

In 1989 I started to work in COMAD, the law firm founded by my father. By then, the firm

attended complex litigation and negotiation cases in the energy, water and infrastructure in general. He was a tough boss, but now I understand why he did it that way.

In 1995, I started to work on a kind of advisory /implant basis with a construction company that had very relevant public works contracts of transmission lines, substations, power plants, and other kind of complex facilities for the Electricity State owned company (CFE) as well as oil and gas works for the state owned company Pemex.

In that company I met my wife, Gabriela, who was in charge of the insurance group. We got married in 1999 after a 3-year relationship of friendship, fun and good communication.

In 2001 we had our first baby, Ana Gabriela and 4 years later our second one, Ximena. Currently they are 18 and 14 years old and they are really nice children and still come with their parents for vacation and we still have fun together (Lucky us!).

I started to do construction law work for the company where I met my wife. Since it was a very litigious company, I had a very good school there. I learned how to prepare and

submit claims, negotiate with difficult government clients, attend mediation, litigation and arbitration procedures, and also had my first international experiences, one of them was preparing a bid for a hospital in Milan, Italy, and another was advising this company in the most important transmission line in central America (SIEPAC). Since we started to have success in very relevant cases, we became at some point lawyers for most of the companies that did construction and energy work in Mexico: Italian, Spanish, French and Colombian, among others in government contracts, bid protests, litigation, conciliation and arbitration.

I started to attend the International Bar Association (IBA) Conferences since I was invited to give a presentation on the Mexican construction sector to what it was called formerly the Committee T (now ICP or International Construction Projects Committee). I was a permanent and committed member, so at some point I became a Co-Vice Chair and later a Co-Chair of the ICP, being the first Latin American to be a co-Chair. In the IBA I also had the positions of Vice chair and chair of the Public Procurement Committee and Regional representative and co Vice

Chair of the Anticorruption Commission.

I was invited by my good friend and fellow Richard Pearse, to give a presentation to the ABA Construction Forum in Puerto Rico. Since then I have attended such a wonderful group where I have made some of my best friends, and I'm a steering member of Division 8 "international construction."

As a long-standing member of the International Chamber of Commerce México (ICC México) I started to work on the Dispute Boards committee, and then transformed it into the Construction Disputes Committee, which I chaired for several years with very nice results.

Since I'm a believer in Dispute Boards, I have been very active in promoting such dispute resolution method too. I have been in a dozen dispute boards in the recent years, and currently I have 4 dispute boards active being a sole dispute adjudicator in two, and in a panel in other two in El Salvador, Honduras and Panama.

Finally, I would like to say that I am a true believer in anticorruption and I have been active in promoting anticorruption not only in Mexico, but in other places such as

Honduras, Peru, Chile, Colombia, Brazil and Paraguay, where I have been invited to attend conferences as a speaker.

I have four collective books as coordinator and consulting editor: "International public Procurement: A guide to best practice"; "Construction and Infrastructure disputes: A global handbook," and "Anticorruption Laws and regulations" published by Globe Law and Business in London. The fourth one is "Dispute boards in Latin America: Experiences and challenges" in Peru, and currently preparing a solo work on Construction law.

I have the honor to be a fellow of the International Academy of Construction lawyers, effective next May.

My passions are: my family, listening to music, my dogs, watching movies and nature, reading in my Kindle, traveling for leisure, going on cruise ships, traveling to construction sites, meeting new people and see the stars.

I feel that God has blessed me and being a fellow is one of such blessings.

Finally, many of the members of this group have witnessed that I enjoy helping them when they travel to Mexico city or they need any assistance in my country, so whenever you need it, just by being my ACCL fellow, feel free to contact me.

Stephen A. Hess –



Dee Dee and I met later in life in Colorado Springs after our combined four boys (two each) grew into men. Her boys Joshua (married and living in Reno) and Jeremy (Denver), and my boys Conor (Denver) and Evan (Colorado Springs) will be starting families of their own soon, and we look forward to spoiling grandchildren one of these years.

Anyway, Dee Dee is a perfect combination of iron and silk. She

is silk at home – soft, gentle, and caring. She is passionate about supporting mill dog rescues. A few years ago she started volunteering at the national Mill Dog Rescue in Black Forest, Colorado, and within a few days (or maybe a few hours) she brought home two Havanese who had been rescued after six years as mill dogs. At work, Dee Dee is iron—as the Operations Manager of a mechanical contracting firm for almost a quarter century, she has learned how to oversee the kind of difficult, imperious people we occasionally see in the construction industry with professionalism and finesse.



Of course, Dee Dee's innate ability to handle difficult, imperious people has nothing to do with

our mutual attraction (I hope). Instead, we share a lot of interests – travel, cooking, exercise, movies, and tavern games. When we started seeing each other, I was chivalrous and “let” her beat me at foosball, pool, bowling, etc. Curiously, and notwithstanding her delicate side, she has never returned that favor. Now, the only game where I can take her down is darts, which she attributes to my unnaturally long wingspan. Dee Dee designed all the interior finishes and regularly gets invited to help other people with their own designs because of her manifest talent.



Some of my separate hobbies include collecting ancient Roman coins (albeit hard to find around here), making stained glass pieces, and playing piano (Dee Dee plays a

bit as well, but I am substantially louder). The stained glass piece pictured below is a transom about six feet wide and a foot and a half tall for someone who lives here in Colorado Springs, and it depicts the rock formations in our famous “Garden of the Gods” with Pikes Peak in the background. It is kind of an interesting theme for someone who lives at the foot of Pikes Peak and can just walk outside to see the real thing, but it was fun to make.



About ten years ago, I attended a three-week intensive piano course in Italy. At the end of the program, the co-director (from whom I had taken lessons in Colorado) took me to dinner, where he told me how he and the other director were very impressed with how I sounded. I thanked him for the compliment and turned a little red, and he explained “Yes, Renato and I thought you picked up Italian rather quickly. You have a good ear for language.” That took me down a bit so I decided to press my luck and said “Thanks, Michael, you

have never actually complimented me on my piano playing” to which he responded in dead earnest “But why would I?” At least I have a good ear for languages (and while you can’t buy talent, I did buy a very nice grand piano).

On the legal side of things, I have been in private practice in Colorado for a little over three decades (excepting a judicial clerkship and a three-year stint at Colorado Interstate Gas Company), and have been in the Colorado Springs office of Sherman & Howard since 2008. Construction law and litigation have always been the focus of my practice, although I have developed a healthy side practice in Olympic and international sports law, as the United States Olympic committee and a substantial share of National Governing Bodies are headquartered here (USA Cycling, USA Wrestling, USA Boxing, USA Taekwondo, etc.)

Apart from my practice, I am also an active writer. I have written several stultifying treatises for West on Colorado civil practice and evidence, and have worked (and written for) a number of national construction law books

and journals, including The Construction Lawyer with my ACCL classmates John Ralls (who preceded me as Editor) and Michael Branca (who succeeded me), as well as your own Journal of the ACCL.

Now, whenever I start feeling down about my piano teacher’s rebuke, I can read through the biographies of ACCL Fellows and tell myself how fortunate and honored I feel to be included among your numbers. Thank you.

Melissa C. Lesmes –



Born and raised in the Washington D.C. metropolitan area as the daughter of a custom homebuilder, I guess you can say I was destined to work in the construction industry. While my elementary school peers were tasked with taking out the

trash for an allowance, I was broom cleaning houses and learning how to use a nail gun. While my high school classmates were mowing lawns for gas money, I was hanging dry wall. And, while my college roommates were waiting tables for the summer, I was reading plans and coordinating subcontractors. I often knew the names of the employees at our local full service hardware store (eventually replaced by Home Depot) better than I knew the names of my teachers. Needless to say, when I got my first (allegedly random) summer associate assignment involving a dispute between a contractor and a subcontractor, I knew my fate was sealed!

I began practicing law at Arent Fox in Washington, D.C. where I met the illustrious Barbara Werther. While a large part of my practice there was in construction, I began focusing more on construction insurance after working on the years long litigation surrounding the Big Blue crane collapse at the Miller Park Baseball Stadium (google the video!). I later moved (with Barbara and others) to Thelen Reid & Priest where I was lucky enough to have had the opportunity to work with

and get to know Andy Ness, John Heisse and David Buoncristiani among others. After six years at Thelen, a brief stint as general counsel for Dietze Construction, which was bought by Suffolk, and two crazy years at Howrey (I can share that story only after a few glasses of wine), I am now practicing at Pillsbury Winthrop Shaw Pittman. At Pillsbury, in addition to heading up the D.C. litigation group, I spend about a quarter of my time on what I consider front-end construction contract counseling and the remainder of my time primarily pursuing insurers on construction related claims.

I am a proud graduate of Duke University (undergraduate) and The College of William and Mary (law school), which is where I met my fabulous and extremely patient husband Scott. I am, however, an even prouder mother to four amazing children, Emily (UVA '17), Maggie (UVA '20), Scotty (GMU '22), and Anna (UVA '25 ??). Obviously, I will be practicing law for many more years to come. When I am not in the office or in the courtroom, you will likely find me running, cheering loudly

for the Blue Devils and/or the Washington Capitals, drinking red wine (preferably a full bodied cab), or spending time with family and friends on the Eastern Shore in Maryland.

I want to thank the ACCL again for this great honor and I look forward to meeting everyone next month!

Charlie Lewis –



I grew up in the Chicago area and after graduating from Hinsdale Central High School, I headed up to Ann Arbor for four terrific years at the Blue. Coach Bo Schembechler's first year was also my first year at Michigan so I was treated to four fun years of football with the added plus that many of my fraternity brothers started for the team. After graduation, I went west and attended the University of San Francisco School of Law. San

Francisco is and was a beautiful city but I was called back home when I received an offer to join the litigation department of Baker & McKenzie in Chicago. My earliest assignments were mostly related to product liability matters, including the representation of Ford Motor Company on cases around the country, until I was assigned to represent architects and engineers, which then expanded to contractors and then owners on large projects in Chicago and elsewhere.

After 25 years at Baker & McKenzie, when the conflicts became difficult to say the least, I joined the firm of Jenkins & Gilchrist. As some of you may recall, several partners in the Chicago office of Jenkins advised clients on a variety of tax schemes, which eventually led to the firm's demise. I was then lucky enough to find a home in the Chicago office of Duane Morris with a group of excellent construction lawyers.

In addition to my active construction practice, I act as a mediator and arbitrator for the AAA and ICDR. Over time, acting as a mediator and arbitrator is becoming a larger part of my practice.

My wife, Joanie, and I have four children, pictured above. Our oldest daughter graduated from Indiana

University, our oldest son from Michigan, our youngest daughter from Syracuse and youngest son from Illinois Wesleyan. We have two granddaughters, Jacqueline, age 5 and Charlotte, age 1. As loyal Cubs fans, our dog, Wrigley, tells us to wait until next year. We are back home in Hinsdale and have been blessed with good health and happiness.

I am honored to be selected for membership in this great organization and look forward to seeing you all at the upcoming winter meeting.

John Ralls -



I am incredibly grateful to have been asked to join the ACCL. My wife (Llamina) and I will be in Florida and Tucson and beyond. By way of introduction, here are

some notes about my professional background and family.

I am a California native. I attended UC Berkeley for both undergraduate and law school and began my law career in 1990 as an associate at Pettit & Martin in San Francisco. At Pettit, I had the great fortune to work with John Clark, Rob Thum, and John Heisse. They taught me how to practice construction law. They also encouraged me to get involved in construction industry and bar groups, including the ABA Forum. In 1994, the Pettit "construction group" moved to Thelen where I worked with, and learned from, a number of additional, extraordinary construction attorneys, including Barry Grove, Dave Buoncristiani, Andy Ness, Robbie MacPherson, Barbara Werther, and Jeff Cruz. I spent most of my career at Thelen, making partner and trying construction cases. During this time, my luck continued, as I was given the opportunity to serve as the Editor of The Construction Lawyer. From 2004 to 2012, I was paired with Charles Sink, Frank Elmore, and Stephen Hess on a variety of Forum publication projects. In 2011, I founded a

small law firm in the San Francisco Bay Area. The firm (Ralls Gruber & Niece) has grown, mainly by adding Thelen alums. We now have six attorneys and two paralegals. We focus on construction law, especially litigation.

Shortly after being admitted to the California bar, I married my high school sweetheart, Llamina Ralls. We actually met in the 7th Grade, and she was our class president from 7th through 12th Grade—the “Richard J. Daly” of student politics in our home town of Garden Grove, California. I ran against her once and was destroyed. For the last 22 years, we have lived in San Mateo, California, about 20 miles south of San Francisco. We have two children, ages 21 and 17, a senior in college and a senior in high school. Both will graduate this year, on the same day (June 1) but 3,000 miles apart! We will “divide and conquer” of course. We have also let the children know that whoever gets the better grades senior year gets the better party. The four of us are pictured above.

Our daughter, Elena, will graduate from the Rhode Island School of Design in Providence. She is job

hunting and may start her career on the East Coast (but we are lobbying to get her back to California). Our son, Daniel, is looking at colleges and plans to leave California as well, at least for college. We will be “empty nesters” very soon.

Llamina is a cardiac nurse, with a Masters from UCSF. Her primary interest is community education, especially nutrition and diabetes. We both come from large families and typically spend holidays with one side or another. Time permitting, we love to travel as a family and expect that we will need to go on better and better trips to entice to kids to go with us. It’s working so far but we know our days are numbered. We also enjoy tennis and cooking with and for our friends.

Thank you for inviting me to join the ACCL. Llamina and I look forward to years of meetings and friendship.

Jeff Vallis –



Early in the first year of my career, a senior partner of our firm came to me and asked me to deal with a minor personal matter for a local Calgary businessman. Within a couple of days, that matter resolved itself satisfactorily, due in no fashion to any particular action by me. The businessman, however, gave me credit I didn't deserve, and instructed his staff to send junior level litigation work to me. Happily, that businessman was the major shareholder and President of a large Calgary general

contracting firm, and so my career as a construction lawyer was born.

I was born in rural New Brunswick, and five months later my father obtained his Engineering degree and moved my mother and me to Ottawa, Ontario. This would be the first of a large number of moves during a peripatetic childhood, which saw our family travel around Canada and abroad as my father was assigned to large civil projects around the world. We spent significant time in London, England and in Durban, South Africa, developing in me a lifelong love of travel, soccer and rugby.

We returned to Ottawa for my last couple of years of high school, after which I spent two years at Queen's University in Kingston before getting early admission to the University of Toronto Law School. There I spent far too much time playing varsity rugby and intramural sports of all kinds. The plan had been to stay in Toronto after graduation, but at that time, Calgary was enjoying unprecedented growth and opportunity due to the boom in the oil and gas business. As a 23 year old without any real

ties to Toronto, and no domestic commitments, I made the perhaps impulsive decision to pack my carpetbag and head west.

I joined Howard Mackie, a highly regarded Calgary law firm. I was still with that firm 19 years later when it merged with regional law firms in Toronto, Montreal, Ottawa and Vancouver to form Borden Ladner Gervais LLP, which immediately became the largest law firm in Canada. For me, that merger had the happy, although entirely accidental, consequence of involving me with what was very clearly the preeminent construction practice in Canada. My mostly regional Calgary based construction practice was immediately strengthened by going into partnership with a number of Canada's leading construction lawyers, including and most particularly my good friend, former partner and Fellow Bruce Reynolds. The national platform and the caliber of my construction partners has allowed my practice to grow from strength to strength.

As positive as my impulsive move to Calgary was from a professional

perspective, the real magic of my move to the Rockies was meeting Georgia. We met about six months after my arrival in Calgary and were married the following year. We have three grown children and four grandchildren. She has been a life partner in every conceivable way, and as you will all discover in Florida at the end of February, she is the thoughtful, fun and vivacious member of our family. Georgia is a dedicated traveler and she takes advantage of my absences at trials or hearings to travel the world with various friends from across Canada and the U.S. She then shares her favorite destinations with me once or twice a year when we are able to get away together.

For myself, I have an almost pathological interest in sports. I played competitive soccer into my 40s, until a fourth blown knee put me on the shelf. I play golf during our abbreviated northern season, although my desire to be good vastly overshadows my talent to do so. I am now much more of an armchair athlete, with rather randomly selected favorite teams in all of the major North American sports, as well as in English and

European soccer and international rugby.

As a Canadian construction lawyer, I am humbled and honored to be invited to join the ACCL, and I am grateful to the College and to the various Fellows with whom I have worked over the years for their support. Georgia and I are very much looking forward to seeing old friends and making many new ones when we meet with you all in St. Petersburg in February.

Thomas J. Vollbrecht –



I have benefited from many fortuitous circumstances in my professional and personal life.

I very much fell into a summer clerk position in 1984 at a boutique law firm that just happened to include B.C. Hart, Phil Bruner, Tim O'Brien, Pat O'Connor, and Pete Halls. I have been a construction lawyer ever

since, but just as easily could have never even known that construction law existed.

I met my wife, Mara Thompson, at an "End of the 80s" New Year's Eve party hosted by a fellow associate who, it turned out, was Mara's classmate in law school. Mara and I have been together ever since, and I shudder to think of how my life would have turned out if she or I had simply not gone to that party. And, no, I haven't had the courage to ask her whether she feels the same about that chance meeting, but I think we still get along okay.

I grew up in a small rural town in Minnesota that had party line phones and a live operator who connected all calls until I was 10 (when we graduated to rotary phones). There were only 5 TV channels—4 of which were pretty spotty in bad weather. We also didn't have a color TV set until I was in high school. Just imagine the "How Rough Things Were When I was a Kid" stories that our daughters, Colleen and Cara, have been subjected to all of their lives. But it was a great place to grow up. You got to be, and pretty much had to be, in every sport and activity, as opposed to today's specialization starting (it seems) at about age 4. As one of my brothers sagely put it in

describing the high school athletic exploits of the Vollbrecht boys (there were 5 of us): “Rather than trying to play to the best of our abilities—we had little—we focused on playing to the best of our knowledge.”

It was then off to St. John’s University (a small liberal arts school in central Minnesota) for college and then (after a one year break during which I backpacked through Europe and also hopped freight trains to Seattle and back) law school in Boston. I have been practicing construction law in Minneapolis ever since (starting at Hart, Bruner & O’Brien, moving to Faegre & Benson/Faegre Baker Daniels for 20+ years, and now at Fabyanske, Westra, Hart & Thomson for 5 years). My practice is centered in the Upper Midwest but has taken me, and continues to take me, all across the country.

Mara is also an attorney (we both broke strongly-held convictions never to get romantically involved with another attorney) with an employment law focus, particularly employment class action litigation. After the birth of our second daughter, she started pulling back from the practice of law while obtaining practical doctorates in all aspects of childhood development

and logistics. She eventually committed fully to the Practice of Life rather than the Practice of Law, and thank goodness for that.

Prior to kids, we enjoyed traveling (a driving trip on the Whiskey Trail in Scotland was one highlight). Trips resumed once the girls were old enough to join us (a trip to Belize—jungles, pyramids, and scuba/snorkeling—being a highlight). And the girls still join/tolerate us for occasional trips, including a recent trip to Paris that included daily treks (as ‘suggested’ by Mara and me) through all the cultural highlights and nightly searches (as ‘required’ by them) for Paris’ best mojito. You would be surprised how many restaurants/bars featured them. Notwithstanding that discovery, Mara and I were more than happy to stick with wine.

Thank you again for allowing me to join with you in the ACCL. It is both gratifying and much more than a little humbling given the expertise, accomplishments, and character of the membership. Mara and I look forward to meeting you all in St. Petersburg.

Cary Wright -



I grew up in Jacksonville, Florida as the sixth of seven children – five boys and two girls. The middle child, Richard, has Downs Syndrome, and as you can imagine, is the center of our family. Growing up, I loved playing softball and basketball and enjoyed visiting my mom's family in South Carolina. My first job was working in a peach shed in the summer of 1976.

I met my wife, Alison, in Business Calculus 2 at the University of Florida. We were both in our second semester at UF. I like to tell everyone that I helped her through that class but those who know Alison know differently. We started dating the following summer. After graduation she worked for IBM as a computer programmer and I as an

auditor for Touche Ross, an accounting firm that is now Deloitte.

I went to law school at Stetson University College of Law and joined Carlton Fields in Tampa as a summer intern in 1989, and then took a full-time position following graduation in 1990. I was a logical fit for the construction department given my accounting background and auditing experience. At that time, the firm had a policy that an associate could switch departments after six months, and then after a year, choose which department they wanted to practice in. After six months, the bankruptcy group inquired whether I would like to switch groups, particularly since it was in the middle of the savings and loan crisis and the firm had a lot of FDIC and RTC work. I went to our Department Head, Mike Nuechterlein (a former Chair of the ABA Forum and an ACCL member) and he gave me the most profound advice: "Cary, if the bankruptcy group out performs construction group during your career, we are all in trouble." That made perfect sense to me and I have been in our construction group ever since. The FDIC and RTC work is no more, and neither is our Bankruptcy Group! It

was the right choice for another reason – I have been able to practice closely with other ACCL fellows George Meyer, Lu Prats and Patricia Thompson my entire career.

Alison and I got busy in the local community, and in our church, and raised three children. Our oldest, Logan, 26, has also chosen the field of law and is currently working as a legislative aid and general counsel for Ross Spano, a first-term member of Congress. Zach, 24, is currently a senior at Georgia Tech and will graduate this semester in Computer Engineering and Russian. And our daughter, Grace, 22, is working as an intern in D.C. along with Logan in Ross' congressional office. She was recently accepted into a Ph.D. program in political science; it appears that she will be moving up to Columbus, Ohio (where football coaches go to retire - the second time) for the fall 2019 semester.

Our daughter is the athlete in the family and competed in English show jumping from middle school into her college years. We are very glad to say that we are currently down to one horse at home, from a maximum of five, and he should be picked up soon to work in a camp

for children with special needs. We continue to enjoy attending Gator football games every year; this was a special highlight when Logan and Grace were students at UF. Alison and I continue to be actively involved in our local church, and she just completed her Master's Degree in Christian Studies from Dallas Theological Seminary. I also enjoy golf. Although I am not very good, I am better than George Meyer.

COLLEGIALLY CORNER

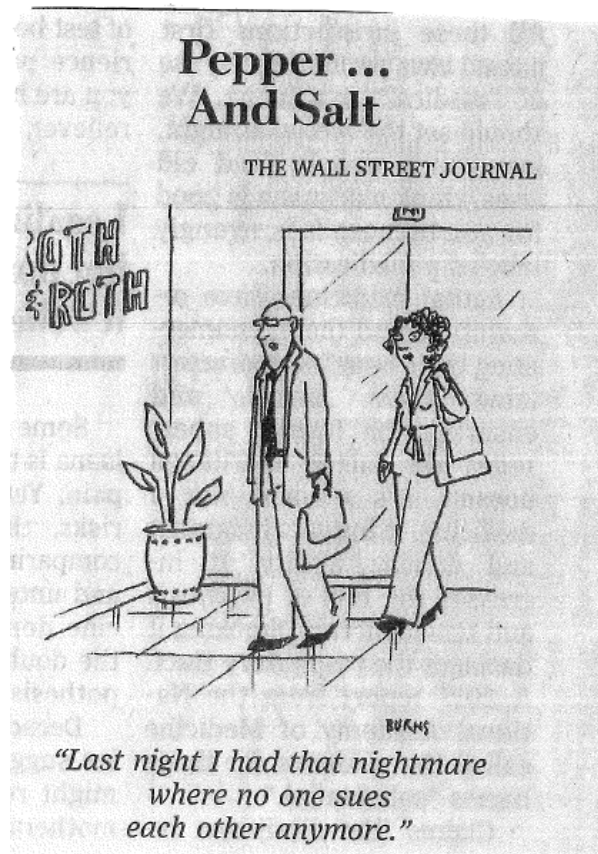


Leslie O'Neal – I am happy to report that Lacey & Luca had a wonderful wedding ceremony (#2) at the Basilica di Santa Francesca Romano on September 29. They are living in Gainesville, FL where Luca

is teaching economics at UF & Lacey is working with several professors on grant research.

Howard Ashcraft – The big news at the Ashcrafts' is that Marilyn became Mayor of Alameda on December 18 after a hotly contested race against the incumbent. Alameda is a city island of 80,000 on the Eastern side of the San Francisco Bay.

Ben Shapiro –



Steve Charney – I, as Chairman of Peckar & Abramson and with support from my firm, formed the Syracuse University Infrastructure

Institute. As all in the ACCL know well, the massive infrastructure demand, both domestically and globally, cannot be met by simply relying on public sector to deliver infrastructure. Historically distinct disciplines, including public administration, private finance, design, engineering, computer and information technology, supply chain management and entrepreneurship, to name a few, must come together as never before.

In turn, the vision of the Syracuse University Infrastructure Institute is to integrate and support all colleges and schools on campus around an infrastructure focus, merging in an academic setting the distinct skillsets and perspectives necessary for effective, efficient and socially responsible infrastructure delivery.

Every college and school at Syracuse University has teamed with the Institute, including the prestigious Maxwell School (ranked among the top two schools of Public Administration in the US), as well as Engineering, Management, Architecture, Computer Science and Law. The Infrastructure Institute, the first of its kind both in the United States and globally, anticipates providing unprecedented academic offerings, research and commentary that

benefit from a multiple disciplinary mindset and a wide range of perspectives.

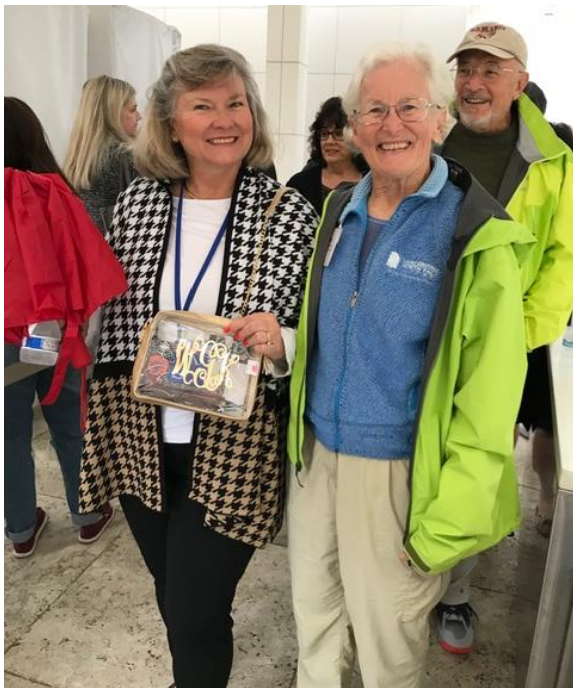


Bill Franczek –I would like to report that my daughter Kaitlyn and I just

returned from a 3-week trip to Vietnam and Vienna's Cambodia, Where I won at Hoi An Bingo.

Randy Nye – Paula and I had an active travel schedule in 2018, highlighted by a trip to Alaska in July aboard a small ship (60 passengers) that was able to navigate up the smallest fiords right to the faces of glaciers. As a result of climate change, the glaciers are receding at an alarming rate. In fact, the weather was so warm that we were in short sleeves most of the time. The only positive from this otherwise sad state of affairs was that we were able to witness some truly spectacular iceberg calving off the faces of the glaciers. That, combined with the frenzied feeding of too many whales to count, salmon runs, brown bears, bald eagles, otters, minks and all sorts of wildlife, plus the incredible scenery made for a wonderful trip and a memorable experience. In October we spent 12 days in Israel, traveling from one end to the other. Given its size, I think Israel must have more history per square mile than just about any other place on Earth. Just a fascinating country. I had been to Israel numerous times on business, but this was my first trip solely as a tourist, and also Paula's first visit. On our last day

we floated in the Dead Sea, a truly remarkable sensation. The buoyancy is simply unbelievable, like sitting in a recliner. A highly recommended destination.



Ken Kupchak - These pictures were taken on an ABA Forum

on Construction Law field trip to the Getty Center, on January 31st. I was on the Board of Directors of the Construction company that built it during the 10 years of its construction. Still a major representation of Design and Construction as art. Patty and I in day-glo yellow rain jackets and Wendy in the checkered coat.

Rick Lowe - I am a candidate for trial judge in my county, Delaware County, just outside of Philadelphia. Delco, as it's known, is home to more than one-half a million people, and is the fifth largest county in the state. There are four openings for trial judge, and right now I am one of about nine candidates seeking the endorsement of the county's Democratic Party. The party's endorsement convention is in about a month. The county-wide primary election is in May, and the general election is in November. If elected, I would leave my firm and serve a 10-year term, with the chance of standing for "retention" at the end of that period. At age 75, judges take senior status. I'm 62. The court has a number of different "divisions," including family, juvenile, orphans, civil and criminal. It is not

uncommon for a new judge to be assigned to family court for a few years, and then move on to another division. I don't have any idea where I would start if I were fortunate enough to be elected.

Anyone interested in my campaign is invited to take a look at my website:

<https://www.ricklowe4delco.com/>

One slogan I have is "Rick Lowe for Delco." Another is:

Respectful

Independent

Compassionate

Knowledgeable

EDITOR'S NOTE

Happy New Year to you all.

I know that you will all join me in welcoming the outstanding group of New Fellows to the College. Take a look at their very interesting biographies that each sent in to the ACCoLades, and you will see what a great addition to the College each of them is.

We are well underway under the new schedule for ACCoLades of 5 issues per year. Below is a

description of future issues of ACCoLades:

April – This issue will feature the committee reports, pictures or any other items of interest from the Annual Meeting.

July – This issue will include Fellows' reports on trips and activities.

September – This issue will feature any noteworthy news or items of interest.

November – This issue will announce the newly elected Fellows

January – This issue will focus on the biographies of the new Fellows.

Thanks so much for all of your submissions. They have been great.

John H. "Buzz" Tarlow

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