



## Mark P. Graham

Shareholder  
Civil Litigation  
Construction Law  
Professional Liability

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Mark, who was named one of "*Virginia's Superlawyers*" in 2007, represents architects, engineers, contractors and commercial/residential property owners in three key areas:

- Construction contracts, from drafting through litigation arising from contract language
- The prosecution and defense of construction defect cases
- Defending against an insurer denying coverage for a claim

His clients range from individual homeowners to large commercial properties (often condominium associations) with construction defect complaints against builders. He also works with architects, engineers and builders who need to defend themselves against claims of defective design and construction. His professional clients, which cover the spectrum from solo practitioners to mid-sized national firms, often find themselves facing former clients of their own who are using a "construction defect" claim in an effort to avoid paying project bills.

One of Mark's clients was the project manager for the renovation of a four-story commercial garage and was blamed by the contractor for project cost overruns. Another was the project manager for a very large school renovation project, with multiple specialty contractors and multiple subcontractors. When Subcontractor "B" negligently ruined Subcontractor "A's" work, the project manager was inevitably pulled into the resulting multi-party lawsuit. In addition to defending his clients in court, Mark is asked to review contracts, mediate disputes between parties involved in large projects and determine when a potential plaintiff has a viable "construction defect" case.

Since a large part of his practice involves insurance coverage issues, Mark has also developed expertise in insurers' obligations to their policy holders. He notes that insurers are becoming far more aggressive in attempting to deny coverage, a highly alarming situation for the insured with a claim. He has been highly effective in reversing insurance companies' initial determination not to provide coverage.

### Professional Credentials

- Graduate of Boston College
- Graduate of Washington & Lee University School of Law
- Barred in Virginia
- Published court opinions in the area of Construction Litigation (see links)
- Affiliate member, American Institute of Architects
- Lecturer, University of Virginia Graduate School of Architecture; American Institute of Architects' Continuing Education program; Virginia Bar Association's *Construction Law* Continuing Legal Education seminars
- Elected to "*Virginia's Superlawyers*" in the area of Construction Litigation (2007)