



## Donald J. Nettles

Shareholder

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Donald Nettles concentrates his practice in construction law and litigation.

Mr. Nettles has experience representing general contractors, design professionals, subcontractors, owners and developers in all aspects of construction disputes before courts and arbitration panels, including construction contract negotiation and drafting and pre-claim counseling during the construction process.

### Representative Matters

- Obtained an \$8 million award in favor of a horizontal directional drilling contractor in a dispute stemming from the construction and installation of natural gas pipeline near Bayou Pierre, Mississippi.
- Representing a large hospital REIT in drafting and negotiating contract and ancillary documents for numerous projects throughout the U.S. valued at more than \$500 million.
- Served as a lead negotiator for a \$110 million design-build contract on behalf of a health care REIT.
- Represent a national multi-family developer as lead drafter and negotiator of several projects in excess of \$200 million throughout the U.S.
- Represent a publicly traded mechanical contractor as lead drafter and negotiator for construction and ancillary documents as well as lead litigator on all construction-related matters.
- Represented a casino owner in a \$10+ million construction defect claim.
- Served as lead drafter, negotiator, and litigation attorney for a national horizontal directional drilling company.
- Represented a design-builder in a successful multimillion-dollar claim against a public medical center.
- Served as lead drafter and negotiator of contract and ancillary documents for a multinational food group with projects throughout the Midwest and Southeastern U.S.
- Represented a general contractor in successfully asserting and collecting claims in excess of \$700,000 against a municipality.
- Represented an international contractor in drafting and negotiating contracts and ancillary documents for multiple new facilities in the Southeastern U.S.
- Represented numerous clients with matters before the Alabama Licensing Board for General Contractors.
- Represented a hospital owner in a successful design defect claim against an architectural firm.
- Represented a site contractor in an arbitration with a multimillion-dollar claim involving a retail development center in the Southeastern U.S., including confirmation of the arbitration award in the client's favor before the Alabama Supreme Court.
- Successfully represented a general contractor in asserting claims involving a HUD project.
- Represented a building owner in a lawsuit against a roofing company for defective work. Achieved a successful settlement in mediation.
- Defended a real estate development company in a wrongful termination lawsuit asserted by its general contractor.

### Professional Honors & Activities

- Listed in *The Best Lawyers in America*® for Construction Law since 2013 and Construction Litigation since 2012
- Charter Fellow – Construction Lawyers Society of America (CLSA)
- AV® Preeminent™ Peer Review Rated by Martindale-Hubbell

- Named by *Birmingham* magazine as one of "Birmingham's Top Attorneys" in Construction
- Listed in *Mid-South Super Lawyers*, Construction Litigation (2015 – 2020)
- Listed in *Mid-South Rising Stars*, Construction Litigation (2010 and 2011)
- Co-chair – 2011 March of Dimes Signature Chefs Auction
- Birmingham Multiple Sclerosis Leadership Class of 2010
- Listed in the *Cambridge Who's Who Registry of Executives, Professionals, and Entrepreneurs* (2009 – 2010) Edition
- Member – American Bar Association (Litigation Section and Forum on the Construction Industry)
- Member – DRI
- Member – Alabama Defense Lawyers Association
- Member – Trial Law Institute
- Member – Alabama State Bar (Construction Section)
- Member – Birmingham Bar Association (Alternative Dispute Resolution Committee)
- Ethics Opinion Editor – *Journal of the Legal Profession*
- Member – John A. Campbell Moot Court Board
- Member – Duberstein National Bankruptcy Moot Court Team
- Member – Bench and Bar Legal Honor Society
- Member – Honor Court
- Board of Directors – Birmingham Chapter of the Construction Financial Management Association
- Associate Member – Birmingham Chapter of the American Subcontractors Association of Alabama
- Associate Member – Birmingham Chapter of the Association of General Contractors of Alabama
- Sergeant, United States Marine Corps



## Speaking Engagements

- 2022 Program Chair for Construction Law Section of the Alabama State Bar 2022 Seminar
- "Contract Negotiations," Alabama State Bar Construction Law Section's 6th Annual Construction Law Summit (December 2019)
- "Building Information Modeling (BIM) and the New AIA Documents," Comfort Systems USA, Inc. (March 2018)
- "Recent Occurrences in Alabama Construction Law," First Construction Law Summit of the Alabama State Bar (December 2014)
- "Construction Law Update," Subcontractor Association of Alabama (July 2013)
- "Basics of Construction Risk Management," Construction Law Section of the Alabama State Bar Annual Meeting (July 2013)
- "Construction Risk Management," Lorman, Birmingham Alabama (April 2013)



## Education

- University of Alabama School of Law, J.D., 2001, cum laude
- University of Alabama, B.A., 1992



## Admissions

- Alabama, 2001
- U.S. Court of Appeals, Eleventh Circuit
- U.S. District Courts, Northern, Middle and Southern Districts of Alabama