



Nicholas R. Pitre

Of Counsel

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Nicholas Pitre advises owners, contractors, subcontractors, and design professionals on all aspects of construction law, including contractor and design professional licensing, transactional matters, dispute avoidance, arbitration, and litigation in state and federal courts.

Nick is a construction lawyer in the Firm's Mandeville and New Orleans offices who represents the full range of project participants, including public and private owners, developers, design professionals, contractors, subcontractors, and suppliers.

He advises clients in all phases of the construction lifecycle, from contractor and design professional licensing to public bid law, contract negotiation and drafting, contract administration, liens, insurance and surety bond claims, and dispute resolution.

Nick is a seasoned advocate with extensive experience in state and federal courts and in arbitration, including prosecuting and defending claims involving breach of contract, nonpayment, delay, disruptions, acceleration, change orders, extra work, differing site conditions, defective construction and design, property damage, state law and Miller Act liens, and numerous other construction-related issues.

He actively counsels clients through the entire construction process and believes that the best outcome of any dispute is to resolve it early on favorable terms, before escalation to formal proceedings. Nick leverages his dispute-resolution experience to partner with clients early to minimize risk and prevent potential disputes when possible through tailored, cost-efficient, and practical solutions, project controls, training, and strategies.

He also regularly negotiates and drafts construction and design contracts and subcontracts for commercial, industrial, multifamily, educational, medical, retail, and other facilities and developments.



Representative Matters

- Obtained a seven-figure defense award on a national contractor's counterclaim after full merits hearing in arbitration brought by the defaulted subcontractor alleging seven-figure change order claim for differing site conditions.
- Defended an international engineering firm in multiple homeowner and contractor lawsuits arising from a sewer upgrade program encompassing more than 100 individual construction projects totaling over \$1 billion.
- Obtained a seven-figure settlement in favor of an engineering, procurement, and construction (EPC) contractor against a pipe supplier and a pipe manufacturer arising from manufacturing defects.
- Obtained an arbitration award of full principal, plus interest, costs, and attorneys' fees, in favor of the general contractor in an owner change order dispute on a commercial project.
- Represented a global professional services firm in a dispute with public owners arising from post-disaster federal grant management and administration services.
- Assisted a public entity through numerous public bids, including handling pre-bid inquiries, issuing addenda, and responding to formal bid protests and actions.
- Obtained a voluntary dismissal with prejudice of a personal injury lawsuit against contractor client brought by an employee of a subcontractor on the basis of Workers' Compensation immunity.

- Part of the trial team that obtained a favorable settlement in favor of the subcontractor midway through a federal bench trial in a Miller Act suit against the prime contractor and its surety.
- Drafted comprehensive procurement policy and checklists for a public client, addressing compliance with public bid law, procurements codes, the Public Works Act, and other state and federal public contracting and bidding laws and regulations.
- Successfully protested public bid awards on behalf of contractor clients.
- Assisted a client with engineering firm licensing issues in multiple states.
- Regularly assists clients with Public and Private Works Act claim and lien issues, including successfully obtaining cancellation of Private Works Act liens.
- Obtained a favorable settlement for a general contractor against an owner in a commercial construction dispute.
- Represented a subcontractor in a federal court trial of its \$2 million claim against the prime contractor under the Miller Act and the prime contractor's approximate \$2 million counterclaim. Negotiated a settlement in excess of the prime contractor's pre-trial settlement offer after the second day of the three-day trial.
- Represented an electrical supplier in an arbitration in which the general contractor claimed the supplier breached its contract. Negotiated a favorable settlement following arbitration.



Professional Honors & Activities

- Listed in *Best Lawyers: Ones to Watch® in America* for Commercial Litigation and Construction Law (2021 – 2024)
- Member – Louisiana State Bar Association
- Member – American Bar Association
 - Forum on Construction Law
- Member – 22nd JDC Bar Association



Publications

- "Construction Laws and Customs: Louisiana," *Practical Law* (August 2025)
- Contributor – "50-State Survey of Firm Licensure Requirements for Architectural and Engineering Firms," ABA Forum on Construction Law – Division 3 – Design (April 2025)
- Co-author – "Construction Laws and Customs: Louisiana," *Practical Law* (February 2023)
- Co-author – "Construction Laws and Customs: Louisiana State Q&A," *Practical Law* (2020)
- Co-author – "Construction Laws and Customs: Louisiana State Q&A," *Practical Law* (2019)
- "New Louisiana Law Requires Public Entities to Pay Interest on Late Payments to Contractors" (June 2018)
- "Louisiana First Circuit Holds that Private Works Act Surety Cannot Raise Pay-if-Paid Defense" (January 2018)
- Co-author – "Construction Law Update: Case Law & Legislation Affecting the Construction Industry," *ABA Forum on Construction Law*, Tenth Edition (2015 – 2016)



Education

- Tulane University Law School, J.D., 2012, summa cum laude
 - Managing Editor, *Tulane Law Review*
- Louisiana State University, B.S. (Finance), 2008, magna cum laude



Admissions

- Louisiana, 2012
- U.S. Court of Appeals for the Fifth Circuit, 2012
- U.S. District Court for the Eastern, Middle, and Western Districts of Louisiana, 2012

