



Darren J. Duzyk, Esq.
Darren J. Duzyk, PLLC

Current Employer-Title Darren J. Duzyk, PLLC - Principal

Profession Arbitrator, Mediator, Attorney, Consultant

Work History Principal, Darren J. Duzyk PLLC, 2005 – Present; General Counsel/Director of Risk Management/Corporate Secretary, The Walker Comopany of Kentucky Inc., 2000 – 2005; Senior Associate (Construction Practice Group), Stites & Harbison PLLC, 1997 – 2000; Associate, Spotts Smith & Fain, 1995 – 1997; Former Adjunct Faculty, University of Kentucky College of Engineering.

Experience Worked in the construction industry throughout entire career with field experience as a laborer/equipment operator, estimator, operations manager and construction attorney and consultant. Has served as the General Counsel and Director of Risk Management for a large transportation/heavy highway contractor with diversified interests in commercial building construction and material production. Practice experience has involved a wide variety of disputes in construction relating to design and construction defects and errors in structural steel, structural concrete, general trades work, site work, geotechnical engineering, electrical and mechanical work, finishes and roofing. These disputes were on projects involving the building of roads, bridges, schools, courthouses, factories, hospitals, detention facilities, distribution and warehousing facilities, athletic facilities, waste water treatment plants, hotels and churches. Also has significant experience with disputes on projects focused on civil engineering, geotechnical engineering, infrastructure work, heavy highway design and construction, grade and drain work, site work and blasting operations. Representations have included a diversified base of owners, general contractors, design-builders, subcontractors, engineers, architects, and BIM designers on commercial building, industrial and public infrastructure projects. Clients include: CJ Mahan Construction Company, Prestress Services Industries, LLC, S&ME, Inc., The Walker Company of Kentucky, Inc., The Bristol Group, Inc., BEX Construction, Inc., Dean Builds, Inc., Haydon Bridge Company, Inc. Kay & Kay Contracting, LLC, Davis & Plomin Mechanical, Inc., H&R Mechanical Contractors, Inc., The Catholic Diocese of Lexington, High View, LLC, Shrout Tate Wilson Mechanical Electrical Engineers and has had prior engagements for Gray Construction, Kokosing Construction Company, American Bridge Company, Hinkle Contracting Corporation, PCR Contractors and Angelo Iafate Construction Company. Also served as an Adjunct Faculty Member in the University of Kentucky College of Engineering's Construction Engineering Management Program and teaches Construction Law to masters and doctorate candidates. Projects have ranged in value up to \$66M.

Alternative Dispute Resolution Experience Member of the Construction (Large Complex Panel) and Commercial Panels since 2010 and has experience as lead arbitrator on three-member panels and as sole

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arbitrator on hearings involving projects in multiple states. Sample cases include: Large Complex Procedures ICDR matter involving delay, disruption and scheduling impacts on construction of an automotive manufacturing facility (three member panel, four weeks of hearing), general contractor's claims against plumbing contractor for default, delay and disruption damages on development project (chaired three member panel), Large Complex Procedures case for default and termination claims by prime contractor and subcontractor on agricultural production facility (three member panel, four weeks of hearing). Sole arbitrator on numerous matters including Large Complex Procedures case involving claims for default, delay and disruption damages on methanol production facility project. Sole arbitrator on: private school design-build project involving delay, scope and termination issues; public school project involving subcontractor's scope creep and termination issues; mechanical contractor's breach of contract and contract scope claims for multiple upgrades to office building; wrongful termination claims of subcontractor on United States military facility; general contractor's claims against subcontractor on university student center and claims for defective workmanship by owner against roofing contractor. Currently serving on five active arbitrations involving multiple issues between owner, design team, general contractors and subcontractors.

Numerous mediation appointments related to a wide variety of design and construction errors, omissions and project-related performance issues.

As an advocate, has been involved in numerous disputes ranging in value up to \$130,000,000. In part, these projects include the construction of a multi-use indoor collegiate practice facility at a large state university, delay and impact damages on the construction of a new university science building, the design and construction of steep tanks in a corn milling facility, defective steel fabrication claims on an interstate bridge project, claims by general contractor against multiple subcontractors for defective performance on construction of high school athletic complex and turf field installation, design errors in the fabrication of stone panels on a courthouse project and waterline construction and subsurface issues on an equine facility.

Has also been involved as an advocate in countless mediations of construction disputes ranging in value up to \$35M. These mediations have involved numerous building construction projects, geotechnical engineering projects, underwater construction and site work/grade and drain projects.

Currently serves on the following panels: Dispute Review Board Foundation Panel of Neutrals; AAA Dispute Review Board Panel of Neutrals and the West Virginia, Ohio, Wisconsin and Colorado Departments of Transportation Panel of Neutrals.

Alternative Dispute Resolution Training

ACE 20 - Cyber Security: A Shared Responsibility, 2020; AAA/ICDR/AAA Mediation.org Panel Conference, 2019; ACE 18 - Arbitrator Performance and Demeanor ~ Meeting Participant Expectations, 2018; AAA When Experts Come From Different Planets: Tips for Maximizing the Value of Experts, 2017; Motion Practice Under AAA Rules – What You Need to Know, 2017; AAA What's In and What's Out: Recent Developments In Arbitral Jurisdiction, 2016; AAA Dealing

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The AAA provides arbitrators to parties on cases administered by the AAA under its various Rules, which delegate authority to the AAA on various issues, including arbitrator appointment and challenges, general oversight, and billing. Arbitrations that proceed without AAA administration are not considered "AAA arbitrations," even if the parties were to select an arbitrator who is on the AAA's Roster.

With Delay Tactics in Arbitration ACE04, 2015; AAA Principled Deliberations: Decision-Making Skills for Arbitrators ACE08, 2014; AAA Conducting Research and Investigations: The Arbitrator's Authority ACE09, 2014; AAA Chairing an Arbitration Panel: Managing Procedures, Process & Dynamics ACE05, 2012; AAA Mediation of Construction Disputes: Controlling Your Own Destiny, 2011; AAA Arbitration Awards: Safeguarding, Deciding & Writing Awards ACE01, 2010; AAA Arbitration Fundamentals and Best Practices for New Arbitrators, 2010; Dispute Review Board Foundation/Ohio Department of Transportation, Advanced Chairing Workshop, Administration and Practice Workshop, 2006; Dispute Review Board Foundation, Advanced Chairing Workshop, Administration and Practice Workshop, 2005; International Center for Dispute Resolution, Forty Hour Mediator Training, 2003.

Professional Licenses

Admitted to the Bar: Kentucky (1993), Virginia (1990).

Professional Associations

Kentucky Bar Association (Construction and Public Contract Law Section); Virginia Bar Association (Construction and Public Contract Law Section); American Bar Association (Forum on the Construction Industry, Section for Dispute Resolution).

OTHER: Lexington Catholic High School (Past Chair, Board of Trustees; Chair, Long Range Facilities Planning Committee, Building and Grounds Committee); Lexington Public Library (Past Board of Trustees; Building and Property Committee, Chairman); Traditional Bancorp (Board of Directors; Former member Business Development and Audit Committees); Make-A-Wish Foundation of Greater Ohio, Kentucky and Indiana, Inc. (Past Governance Board and Executive Committee Member; Past Board of Directors, Past Secretary).

Education

University of Richmond (JD-1992; BS, Business Administration-1989); Cambridge University (Certificate in Comparative Law-1990).

Publications and Speaking Engagements

"Construction Phase Risk Management for Architects", American Institute of Architects, "Raising Awareness of Architects' Lien Rights" - American Institute of Architects, "Law of Construction Defects & Failures", Halfmoon Seminars, LLC; Speaker, "Construction Contract Workshop", HalfMoon Seminars; Speaker, "Construction Law for Public Projects," HalfMoon Seminars; Speaker, "Pitfalls With Owner Direct Purchases," Construction Law Institute/Kentucky Bar Association Construction and Public Contract Law Section-University of Kentucky College of Law; Speaker, "Law of Construction Defects and Failures," HalfMoon Seminars, LLC; "Public Owner Direct Purchases: Minimizing an Additional Exposure for the Contractor," UNDER CONSTRUCTION, American Bar Association Forum on the Construction Industry; A GUIDE TO MINIMIZING PROBLEMS ASSOCIATED WITH QUARRY OPERATIONS, Kentucky Crushed Stone Association; Speaker, "Reducing Exposures During Blasting Operations," Kentucky Blasting Conference.

Citizenship Languages Locale

United States of America
English
Lexington, Kentucky, United States of America

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Compensation

Hearing:	\$345.00/Hr
Study:	\$345.00/Hr
Cancellation Period:	0 Days
Comment:	Cancellation policy: will charge only for time spent or expenses incurred at time of cancellation. Travel charges are only for travel or lodging expenses incurred not travel time. Travel and lodging are not charged for hearings held in Virginia and South Carolina. Willing to serve in Virginia and South Carolina without reimbursement of travel or lodging expenses.

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