



# Devon G. Coughlan

## **Mediation Experience**

Devon Coughlan specializes his mediation practice in the areas of national and international construction and insurance coverage disputes, with a focus on large, multi-party cases.

## **Construction**

A commercial and construction litigation attorney for many years, Devon is now one of the most experienced, knowledgeable, and credible large-case construction and insurance coverage mediators in the

country. His experience and expertise includes familiarity with every conceivable kind of construction and design related claim, as well as their associated insurance coverage dynamics, in projects from NFL stadiums to suspension bridges, international airports to high-rise condos, highways to hospitals, reservoirs to waste-to-energy power plants.

With a thorough understanding of construction, engineering and architectural contracting forms and issues, insurance products and exclusions, workflows, means and methods, scheduling analysis issues, the change order process, and the myriad of other issues which make up a construction dispute, Devon has a leg-up when it comes to mediating construction cases efficiently and effectively. He is also adept at working with multiple parties and designing a mediation process that maximizes the chances for settlement. Devon has mediated well over two billion dollars in construction and insurance coverage related claims in the last three years alone, with settlements achieved in over 90% of those cases.

## **National and International Construction Practice**

With a Masters Degree in International Law from Duke University, Devon has a national and international construction mediation practice. Devon

has mediated cases involving projects or proceedings situated in Alabama, California, Connecticut, the District of Columbia, Florida, Georgia, Illinois, Maine, Maryland, Massachusetts, Missouri, New Hampshire, New Jersey, New York, Pennsylvania, Vermont, Virginia, Washington, Tennessee, West Virginia, France, Canada, the Middle East and the U.S. Virgin Islands. Devon is familiar with FIDIC construction documents and forms, and is sensitive to the cultural issues involved in mediating international cases.

### **Insurance Coverage**

Insurance issues lie directly or indirectly at the heart of almost every case Devon mediates. Devon has extensive experience interpreting complex insurance policies, exclusions, reservation of rights letters, statutory provisions and applicable case-law in multiple jurisdictions. He is well versed at mediating subrogation claims among carriers, has been asked to interpret the meaning of new insurance products in carrier/insured disputes, and has mediated cases with virtually every major carrier in the US.

### **Mediation Philosophy**

Devon is an active and evaluative mediator. He believes that cases need to be settled on the facts and the law, and is willing to give all parties the benefit of his independent insights into a case. Devon's attention to detail and ability to truly understand all of the issues involved in a complex case make him unique in his field. Mediation process design and interacting meaningfully with the parties prior to the first mediation day are key contributors to Devon's success. Devon never gives up on a case, and believes that until a trial court verdict is entered, settlement in every case is possible. In those cases that do not settle at the table, Devon follows up with the parties extensively so that a settlement may still be achieved.

### **Types of Mediated Cases**

Some of Devon's mediated cases include the following:

**Numerous Multi-Family and Single Family CD/Design Claims**

**NSA Data Center** – Construction and Design Defect Claim

**High Rise Mixed-Use Building** - Design and Construction Claim

**Panama Canal Expansion** – Design Claim

**State Highway Project** – Design, Construction Defect and Delay Claim

**City Performing Arts Center** – Construction and Design Defect Claim

**Metropolitan Hotel** / Historic Structure Renovation – Design and Engineering Defect Claim

**Hospital** - Construction and Renovation – Construction Defect / Water Intrusion Claim, Insurance Coverage Issues

**Water Treatment Plant** – Design and Construction Defect Claim, Insurance Coverage Issues

**Business Disputes** – Breach of Contract / Tortious Interference

**Numerous Hurricane Irma Related Condominium / Commercial Structure Insurance Claims**

**University Library** – Delay and Wrongful Termination Claim, Insurance Coverage Issues

**Waste-to-Energy Power Plant** – Design and Construction Defect Claim, Insurance Coverage Issues

**Water Reservoir** – Construction and Design Defect Claim, Insurance Coverage Issues

**International Airport** – Construction Defect Claim, Insurance Coverage Issues

**Commercial Retail / Stadium Related Development** – Design Defect Claim, Insurance Coverage Issues

**International Airport** – Design Defect Claim

**University Science Center/Laboratory** – Design, Construction Defect and Delay Claim

**Middle School** – Wrongful Termination /Reimbursement Claim by Bonding Company

## **Educational Background**

Duke University School of Law, 1991 – 1994.

J.D. with Honors. LLM in International Law. Member, Moot Court Board. Connecticut College, New London, Connecticut, 1986 – 1990.

Summa Cum Laude, Phi Beta Kappa, double major in Economics and Political Science.

St. Georges School, Middletown, R.I., 1982 – 1988

## **Mediation Certifications and Organizations**

Certified Circuit Court Mediator, Florida

Certified Appellate Mediator, Florida

Certified County Court Mediator, Florida

International Academy of Mediators, Distinguished Fellow.

Association for Conflict Resolution, Member.

Florida Circuit-Civil Mediators Society, Member.

Florida Bar ADR, REPTILE and Business Law Sections, Member.

### **Publications and Speaking Engagements**

Guest Speaker, St. Thomas University Law School, December, 2025, Intricacies of Construction Mediation.

CLM Annual Construction Conference, 2021, Presenter/Panelist, Strategies for Success in Mediation/Settlement Involving Complex Construction Issues.

West Coast Casualty Annual Conference, 2021, Presenter/Panelist, Litigating Complex Construction Defect Cases During Covid-19.

Maine Maine Lawyers Review, 2019 ADR Issue, The Proportionality Problem; Solving the Challenges of Raising Money from Insurance Carriers in Multi-Party Mediations.

Annual Insurance in the Construction Industry Seminar, 2019, Presenter, Mediation is not a Punchlist Item - Managing Insurance Issues in Construction Defect Litigation.

ABA Forum on the Construction Industry Winter Meeting, January, 2014, Luncheon Panelist for Program “How to Catch Flies – With Honey or a Fly Swatter?” Negotiation Tactics and Strategies.

Maine Bar Summer Meeting, 2013, Presenter, Avoiding Pitfalls and Seizing Opportunities; How to Maximize Your Mediation Outcomes.

MCLE’s “A Practical Guide to Superior Court Practice in Maine,” Chapter 5, “Alternative Dispute Resolution.” Publication Pending.

Maine Lawyers Review, June, 2010, “No Impasse Before Noon – Understanding Early Mediation Dynamics”

Maine Lawyers Review, June, 2009, “Maximizing Mediation Results in a Challenging Economy.”

ACResolution Magazine, Summer, 2009, co-author “The Blame Game: Understanding and Addressing Admissions-Related Conflicts in a Nursing Facility Setting.”

Maine Lawyers Review, June 2008, co-author “Choosing the Right Mediator.”

Bench-Bar Conference, West Palm Beach, Florida, 2008. Federal Panel Speaker on ADR issues in federal court.

### **Bar Admissions**

Florida Bar

Federal Court for the Southern District of Florida

Federal Court for the Middle District of Florida  
United States Court of Appeals for the 11th Circuit  
United States Supreme Court

**Community Involvement**

Member and Past President, Federal Bar Association, Palm Beach County, Florida, Chapter

Member, ABA Forum on the Construction Industry

Past Trustee and Board President, Gulf Stream School, Gulf Stream, Florida.

Honorary Board Member and Past President of the Board, Boynton Beach Chamber of Commerce

Member, Palm Beach County Bar Association

**Business Interests**

Owner, Kingsley Pines Camp, Raymond, ME. 2010 – present.