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Construction/Commercial/Consumer Panels

Gary W. Javore, Esq.

Current Employer-Title Johnson, Christopher, Javore & Cochran Inc. - President, Attorney

Work History Attorney and Principal, Johnson, Christopher, Javore & Cochran Inc., 1981-present; Attorney, Bexar County Legal Aid, 1979-81.

Experience Since 1981, practice devoted primarily to real estate transactional work and litigation of disputes involving construction, contracts, insurance, and consumer disputes. In connection with construction disputes, has represented owners (on both residential and commercial construction), contractors, structural engineers, geotechnical engineers, subcontractors, developers, lenders, and home warranty programs. Construction disputes include claims for construction and design defects, breach of contract and warranty actions, RCLA and Deceptive Trade Practices Act claims, and mechanic's and materialmen lien claims. Has represented consumers on first party insurance claims for breach of the Texas Insurance Code and the duty of "good faith and fair dealing." Served as counsel for plaintiffs and defendants in mold claims. Extensive experience in drafting and litigating contracts.

Alternative Dispute Resolution Experience Served as counsel, mediator, and arbitrator in several hundred construction, contract, consumer, commercial transactions, manufactured housing, personal injury, and insurance disputes. Through 9/20 has been appointed as arbitrator in excess of 280 cases and has mediated over 600 disputes.

Alternative Dispute Resolution Training AAA Managing a successful Arbitration, 2014; State Bar of Texas 26th Annual Construction Law Conference, 2013; Arbitration Law Update, 2012; State Bar of Texas Construction Law Conference: Joinder and Dispositive Motions in Arbitration/Mediating Multi-Party Construction Cases, 2012; State Bar of Texas; Arbitration Roundtable, 2010;Conflict Solutions / State Bar of Texas Arbitration Training 2007; AAA Chairing an Arbitration Panel: Managing Procedures, Process & Dynamics (ACE005), 2006; AAA Arbitrator Ethics & Disclosure (ACE003), 2005; AAA Arbitration Awards: Safeguarding, Deciding & Writing Awards (ACE001), 2003; AAA Arbitrator Update 2001; AAA Construction Industry Arbitrator II Training: Advanced Case Management Issues, 2002; AAA Arbitrator I Training-Fundamentals of the Arbitration Process, 2001.

Professional Licenses Admitted to the Bar: Texas, 1978; U.S. District Court, Western District of Texas; U.S. Court of Appeals, Fifth Circuit; U.S. Supreme Court. Sits on Construction, Commercial and Consumer panels for the American Arbitration Association and Conflict Solutions of Texas.

Professional Associations Texas Bar Association; San Antonio Bar Association; San Antonio Trial Lawyers (Secretary; Treasurer; President); Greater San Antonio Builders Association (serves as General Counsel); National Home Builders Association; Fellow Texas and San Antonio Bar Foundations.

Education Kent State University (BA-1975); Cleveland-Marshall College of Law (JD-1978).

Publications and Speaking Engagements Principal author, CONSTRUCTION CONTRACTS AND LAW, National Association of Home Builders, 2015; and articles associated with speaking engagements below.

SPEAKING ENGAGEMENTS: Author/Speaker, Panelist “Practical Tips for Mediation and

Arbitration" San Antonio Bar Association, Construction Law Section 2019; Panelist "Arbitration What Works and What Doesn't" 30th annual Construction Law Conference Texas Bar Association 3017; "Construction Arbitration" San Antonio Bar Association, Construction Law Section 2013; Author/Speaker, "Life After the TRCC," Texas Bar Association, Advanced Real Estate Law Seminar, 2010;"The SIRP Process," Texas Bar Association, Residential Real Estate Construction Law, 2006; "Claims, Damages and Defenses in Mold Claims," Greater San Antonio Builders Association, 2001; "The RCLA, Panacea or Pipe Dream?" and "Alternative Dispute Resolution," Lorman Seminar on Construction Issues in Texas, 2001; "The 1999 R.C.L.A.," Greater San Antonio Builders Association, 1999; "Setting Customer Expectations in Residential Construction Contracts," Southern Building Show and Conference, Atlanta, 1998; "Compelling Arbitration," San Antonio Bar Association Seminar on Anatomy of a Civil Trial IV, 1997; "Property Code Requirements for Contractors Engaging in Residential Construction on an Owner's Lot," Greater San Antonio Builders Association, 1997; "Real Estate and the New D.T.P.A.," San Antonio Bar Association/San Antonio Board of Realtors Seminar on Real Estate Legal Update, 1996; "Reducing the Risk of Deceptive Trade Practice Violations," San Antonio Bar Association/San Antonio Board of Realtors Seminars, Winning in the 90s and New Challenges/New Opportunities, 1995; "Reducing Risks of Deceptive Trade Practices Act," San Antonio Bar Association/San Antonio Board of Realtors Seminar, Winning Through Excellence, 1993; "Deceptive Trade Practices Act Revisited," Greater San Antonio Builders Association, 1991; "The SIRP Process—The Builder's Perspective" Texas State Bar Residential Real Estate Construction Law. (Dallas, Austin) 2006; SIRP update presented to Construction Law Section of San Antonio Bar Association, 2007; *Life after the TRCC* (State Bar Advanced Real Estate Course and Construction Law Section of San Antonio Bar Association) 2010; *Arbitration Tips* for the Construction Law Section of San Antonio Bar Association 2015 and 2016.

Awards: Selected for inclusion in "The Best Lawyers in America" for mediation and arbitration for the past 17 years and selected as the Mediation Lawyer of the Year for San Antonio in 2015, 2018 and 2023 and as the Arbitration Lawyer of the Year for San Antonio for 2017, 2022, and 2024. Elected to the National Academy of Distinguished Neutrals.

Locale San Antonio, TX

Fee Schedule: The fee for a half-day mediation is $1,000.00 per party for the first four hours and is billed at $400/hour after the first four hours.

The fee for a full-day mediation is $2,000.00 per party (which includes lunch). If a full-day mediation settles in 4 hours or less and the settlement agreement is signed, parties are refunded half of their fee (less the cost of lunch).

Travel expenses will be billed for mediations outside of San Antonio. Travel time is billed at $300/hour.

Friday mediations are by Zoom only.