

Stephen L. Weber, Esq.

Phoenix, Arizona



Full Time Neutral with an Emphasis in Construction Disputes

Current Employer-Title	Weber Law Firm, PLLC SLW Engineering
Profession	Full time neutral, Attorney, Arbitrator, Mediator, Judge Pro Tempore, Engineer, Executive, General Contractor
Work History	Engineer and Owner, SLW Engineering, 1985 – Present; Owner, The Weber Law Firm PLLC, 2020 - Present; Managing Partner, Kasdan LippSmith Weber Turner LLP, 2001 – 2019; Partner, Berger Kahn Law Firm, 1994 – 2001; President, Blueridge Construction Inc., 1983 – 1991, Engineer, Carmel Steel Products, Inc. 1980 - 1983.
Experience	Over 40 years of experience in construction and design and over 25 years of experience as a trial lawyer. Over 10 years of experience as a mediator and arbitrator. Licensed civil engineer specializing in structural design and former general building contractor with extensive experience in construction, construction design, structural engineering, and construction litigation. Has been the engineer of record and/or general contractor on over 500 projects ranging from high end custom homes to commercial/industrial buildings. Also has extensive experience representing both plaintiffs and defendants in complex civil litigation matters including numerous trials and arbitrations. Clients have included building owners, homeowners, homeowners' associations, municipalities, landlords, tenants, business owners, consumers, developers, engineers, subcontractors, and general contractors. Has represented owners, developers, subcontractors, or engineers in cases including single family residential, condominiums, high rise construction, commercial, churches, public buildings, and infrastructure. Has also represented major insurance carriers in both first-party and third-party property damage and liability claims,

including numerous appraisals and arbitrations following the Northridge, California earthquake. Experienced as counsel, mediator, and arbitrator in contract disputes related to business operation, dissolution, and construction. Trial/arbitration verdicts and awards have ranged from "defense" verdicts in defense of claims to obtaining Plaintiff verdicts of over 10 million dollars. Has twice been recognized for obtaining "top ten" jury verdicts of the year in Arizona. Rated as an AV Preeminent attorney by Martindale-Hubbell. Member of the AAA large complex panel, commercial, and consumer panels. Served on the subcommittee for the Arizona Board of Legal Specialization for developing the first recognized specialty in construction defects in the country. Was one of four members charged with developing the specialization exam.

Mediator Experience

With a background as a building contractor, civil engineer specializing in structural design, and trial attorney, experience has focused on construction dispute mediations including large complex multi-party mediations with multiple plaintiffs and multiple defendants. Mediations have involved construction disputes ranging from multi-party tract and custom home to commercial and industrial buildings, both during construction and after completion, including prompt pay act disputes, change order, RFI, and delay claims. Mediations have also included landlord/tenant, business contract, real estate, and insurance coverage issues.

General ADR Experience

Arbitrator in numerous cases involving construction and/or real estate matters with amounts in controversy ranging from less than \$100,000 to several million dollars. Has served as both a single arbitrator and on three arbitrator panels in complex cases. Extensive experience in arbitrations involving construction claims and insurance loss claims. Served as a judge pro tempore in Maricopa County handling alternative dispute resolution matters including mandatory settlement conferences and short trials. Previously served as an arbitrator in automotive lemon law claims in California for the Better Business Bureau. Experienced in insurance appraisals, both as counsel and as neutral umpire.

**Representative Issues
Handled as a Mediator**

As related to construction mediations, have handled insurance coverage disputes, additional insured issues, apportionment of damages in multi-party mediations, assessment of expert reports, and delay claims in addition to the typical construction issues. Other mediations have involved landlord/tenant, real estate, business, consumer fraud and insurance coverage issues.

**Mediator Style &
Process Preferences**

I understand the business of construction, the design and engineering aspects, owner issues, and both the general contractor

and subcontractor issues. I also recognize that for some of the participants there is a desire to be heard regarding emotional issues. I approach each mediation with an intent to make all parties comfortable with the process and respect any confidential information conveyed. I encourage the exchange of mediation briefs with an option for supplemental confidential briefs to the mediator. Because of my experience as a trial lawyer, including successfully trying at least one of the largest construction trials ever in Maricopa County, as well as many other construction trials, and my experience as an engineer and general contractor, I can, when requested, offer evaluations of the various parties' positions, risks, and expectations. Many of my past mediations were successful because of these evaluations.

Technology Proficiency Very familiar with Zoom and willing to conduct mediations via Zoom.

Education Western State University, College of Law (JD, Magna Cum Laude-1996); University of Southern California (BS-1978).

Professional Licenses Admitted to the Bar: Hawaii (2017), New Mexico (2017), Arizona (2004), California (1996); U.S. District Court: Central District of California (1996), District of Arizona (2008), District of New Mexico (2017); U.S. Court of Appeals, Ninth Circuit (2010); U.S. Supreme Court (2011).

Registered Professional Engineer, California (1985); General Building Contractor, B-1, California (1983 – 1991, expired).

Professional Associations Maricopa County Bar Association; Arizona State Bar; California State Bar; New Mexico State Bar; Hawaii State Bar; International Code Council; Community Association Institute.

Recent Publications & Speaking Engagements (Partial List)

Perrin Conferences 5th Annual National Construction Defect Conference, featured panelist: "National Review of Construction Defect Law," "November 13-15, 2019, The Ritz Carlton, Fort Lauderdale, FL;

West Coast Casualty's 26th Annual Construction Defect Seminar, featured panelist: "When your Smart Home Isn't So Smart: The Perils of Automated and Smart Properties" May 9-10, 2019, Disneyland Hotel and Convention Center, Anaheim, California;

Perrin Conferences 4th Annual National Construction Defect

Conference, featured panelist: "Mediation," November 14-16, 2018, The Ritz Carlton, Fort Lauderdale, FL;

Perrin Conferences 3rd Annual National Construction Defect Conference, featured panelist: "The Professionals' (Architect & Engineer) Part In Construction Defect Claims," November 15-17, 2017, The Ritz Carlton, Fort Lauderdale, FL;

State Bar of Arizona Annual Convention, featured panelist: "Arizona's Revised Purchaser Dwelling Act," June 16, 2017, Westin La Paloma Resort & Spa, Tucson, AZ.

Perrin Conferences 2nd Annual National Construction Defect Conference, featured panelist: "Additional Insured and Indemnification," and featured panelist: "Right to Repair Acts Across the United States," November 16 - 18, 2016, The Ritz Carlton, Fort Lauderdale, FL;

West Coast Casualty's 23rd Annual Construction Defect Seminar, featured panelist: "If It Ain't Broke, It Doesn't Pay to Sue: Why Product Claims in CD Cases are Not Easy Money," May 11 – 13, 2016, Disneyland Hotel and Convention Center, Anaheim, California;

MC Consultant's Arizona Construction Defect Litigation Seminar, featured panelist: "An In-Depth Discussion About the New Right-to-Repair Statute," April 23, 2015, Embassy Suites Hotel, Phoenix, Arizona

MC Consultant's 20th Annual Construction Defect & Insurance Conference, featured panelist: "Arizona/Nevada–Coverage and Current Trends," Sept. 17-19, 2014, Manchester Grand Hyatt, San Diego, California;

West Coast Casualty's 21st Annual Construction Defect Seminar, featured panelist: "Arbitration Issues and Construction," May 15 – 16, 2014, Disneyland Hotel and Convention Center, Anaheim, California;

West Coast Casualty's 20th Annual Construction Defect Seminar, featured panelist: "Getting Back to the Basics and the Reason Why the WCC Seminar was Begun in the First Place," May 15 – 17, 2013, Disneyland Hotel and Convention Center, Anaheim, California;

West Coast Casualty's 19th Annual Construction Defect Seminar, featured panelist: "The Voyage of the Yellow Brass Submarine or

NewDefects.com – A look at Emerging Defect Trends," May 17-18, 2012, Disneyland Hotel and Convention Center, Anaheim, California;

Numerous speaking engagements on insurance coverage for construction liability claims to various insurance claims handling groups;

Is the Builder Liable for Defects Which Have Not (Yet) Caused Damage? – The Dividing Line between Contract and Tort Liability, Multifamily Executive, Volume 4, Issue 2, February 1999;

Selecting a General Contractor – How to Protect Yourself Against Shoddy Work, Multifamily Executive, Volume 4, Issue 4, April 1999;

House Rules – Is the Extent of a Contractor's Liability for Economic Loss Due to Code Violations Changing? Los Angeles and San Francisco Daily Journal, March 6, 1998;

Let Us Appraise – Appraisal Procedure Has Advantages Over Litigation, Los Angeles, and San Francisco Daily Journal, 1998;

Construction Law Update, Editor, A quarterly publication summarizing developments in construction law provided to Insurance Company Clients of Berger, Kahn, Shafon, Moss, Figler, Simon and Gladstone (now, Berger, Kahn), 1997 – 2001;

Sexual Harassment Lawsuits: Does the Commercial General Liability Insurance Policy Protect the Employer? Western State University Law Review, Vol. 22, Number 2, Spring 1995.

Citizenship

United States of America

Languages

English

Compensation

In-Person: \$5,000.00/Day or \$3,500.00 per half day. Includes 2 hours preparation time. Additional time billed at \$500.00/hour.
Zoom Mediation or In-Person Arbitration: \$500.00 /hour
Cancellation: \$2,000.00 if less than 72 hours.