John T Jozwick Esq
Senior Vice President and General Counsel

Experience: 35 Years

Academic Qualifications:

Bachelor of Science in Ocean Engineering, Florida Institute of Technology, Melbourne, FL
Master of Business Administration, Pace University, White Plains, NY
Juris Doctorate, University of Puget Sound, Tacoma, WA

Association Involvement:

Alliance for Construction Excellence
American Arbitration Association
American Bar Association
Association for Conflict Resolution
CPR Institute
Dispute Resolution Board Foundation
Maricopa County Bar Association
Maritime Law Association of the US
Member, Chartered Institute of Arbitrators
State Bar Association of Arizona (2013-14 Chair ADR Section; Member Construction Law Section)
State Bar Association of Colorado
State Bar Association of Washington
Surety Association of Arizona

Professional Licenses:

State Bar of WA, 1985
State Bar of CO, 1994
State Bar of AZ, 1997

Key Skills & Experience:

John Jozwick is Senior Vice President and General Counsel for Rider Levett Bucknall Ltd. (RLB) North America. John also manages the Advisory Services area of RLB North America, providing project consulting services, claim analysis, expert opinion, construction defect forensics, dispute avoidance, and Alternative Dispute Resolution (ADR) as a Mediator, Umpire, and Arbitrator.

With over thirty five years experience in the construction industry, John provides Advisory Services to owners, contractors, subcontractors, design professionals, sureties, lenders, insurance carriers, and attorneys relating to construction projects, disputes, dispute avoidance, and dispute resolution. His experience in the construction industry has been broad and extensive. He has experience as a Project Engineer, Owner's Construction Representative (CONREP), Attorney, Consultant and Expert Witness, and ADR Provider. During his career, John has been involved in a wide variety of construction projects and disputes, including bridges, roads, transit, utilities / infrastructure, civil, residential, multi-family, office, hotel, casino, commercial, mixed use, industrial, educational, courts, hospitals, marine facilities, ship repair, and shipbuilding.

Being responsible for RLB's North America Advisory Services, John oversees the investigation and expert opinions in areas that include: claims for additional compensation / requests for equitable adjustments; schedule / delay claims; loss of efficiency / cumulative disruption analyses; identifying scope and costs to complete / repair a project; breaches of contract / terminations; performance and payment bond claims; and, construction defects / forensic investigations. He has provided expert testimony at trial, mediation, arbitration, and administrative hearings relating to these areas of Advisory Services.

This background has given John a unique and balanced perspective to become an effective Mediator, Umpire, and Arbitrator of construction disputes. He has hands-on project experience. He has experience as an Owner's representative, to representing contractors and subcontractors. He understands construction contracts, law, and principles. He has represented both plaintiffs and defendants as an attorney and as an expert. He is trained and experienced in ADR processes. As a result, John provides services as a Mediator, Umpire, and Arbitrator of construction and construction insurance disputes. But more importantly, John is an advocate of dispute avoidance processes. He is trained and experienced as a Dispute Review Board (DRB) Member and Project Neutral. He is a qualified DRB panel member for DOT projects in Washington, California, and Wisconsin, and has provided DRB / Project Neutral services for vertical construction projects.

John T Jozwick Esq
Senior Vice President and General Counsel

Detail of Professional Experience

2002 – Present Senior Vice President And General Counsel
Rider Levett Bucknall Ltd.
Phoenix, AZ
See description above.

1985 – 2001 Attorney
Represented construction clients on projects including general, commercial, industrial, residential, marine, civil, and ship repair / shipbuilding construction, both public and private projects. Clients have included owners, primes, subcontractors and sureties. Dispute experience included claim preparation and defense, and the prosecution of construction claims through litigation, arbitration, or mediation. Disputes have included: bid protests, design defects, defective construction claims, constructive change claims, changed site conditions, acceleration and loss of efficiency claims, delay claims, terminations for default and convenience, guarantee and warranty claims, breaches of contract, collections and payment disputes, disruption claims, suspensions of work, bond claims, and payment disputes.

Practice included working at contractor facilities and on-site at construction projects assisting in project management, contract administration, reserving rights to delay and additional compensation, schedule and delay analysis, and preparing documentation for claims.

Beginning in 1994, practice included acting as an ADR Provider, hearing and resolving construction related disputes.

In addition, for over five years was responsible for overseeing the preparation of opinion reports and claims relating to additional compensation or delay claims by in-house claim consultants working within the law firms. Prepared, analyzed, and oversaw numerous claims for additional compensation and schedule impact, including analysis of entitlement issues, cost analysis, and schedule analysis.

Firms of employment include:

1994 - 2001 John T Jozwick, P.L.L.C.
Greenwood Village, CO and Paradise Valley, AZ
1992 - 1993 Schiffrin Hopkins & Olson
Seattle, WA
1989 - 1992 Bryan Schiffrin & McMonagle
Seattle, WA
1988 - 1989 John T Jozwick, P.L.L.C.
Federal Way, WA
1985 - 1987 Taylor Bryan & Hintze
Seattle, WA

John T Jozwick Esq
Senior Vice President and General Counsel

1981 - 1985 **Owner's Construction Representative**
US Department of the Navy, Military Sealift Command
Tacoma, WA
Projects included the design and construction of the T-AGOS 1 Ocean Surveillance Class (USNS Stalwart), and various repair projects. The positions of Engineer and CONREP with the Department of the Navy provided hands-on experience with public / government contracts, design, project management, contract administration, scheduling, inspections, estimates, bids, change orders, and disputes on ship repair and shipbuilding projects.

1978 - 1980 **Project Engineer**
US Department of the Navy, Supervisor of Shipbuilding, Conversion and Repair, San Diego
San Diego, CA
Projects included the construction of the Destroyer Tender AD-41 Class (USS Yellowstone), and the design and construction of the T-ARC 7 (USNS Zeus). Experience with inspecting work to conform with plans and specifications, field engineering, scheduling, and contract administration.

Alternative Dispute Resolution Experience:

Arbitration:

Arbitrator with the American Arbitration Association (AAA) since 1994 being on the AAA Commercial Panel, Construction Panel, Large Complex Construction Panel, and Consumer Panel. Member, Chartered Institute of Arbitrators (MCIArb). Arbitrator with the CPR Institute Construction Panel. Arbitrator with Construction Dispute Resolution Services (CDRS). Experienced as a sole arbitrator, panel arbitrator, and as chair of panel arbitrations. Additionally, retained as a party appointed arbitrator in private arbitration matters and retained as the neutral third chair arbitrator for construction disputes.

Mediation / Umpire:

Mediator with the American Arbitration Association (AAA). Mediator with the CPR Institute Construction Panel. Mediator with Construction Dispute Resolution Services (CDRS). Experienced mediator, umpire, and arbitrator of construction disputes.

Dispute Review Board (DRB) / Project Neutral:

Trained and experienced in claims avoidance programs to minimize disputes during a project. Dispute Resolution Board Foundation (DRBF) member. Dispute Review Board (DRB) panel member for State of Washington Department of Transportation projects. Qualified CalTrans DRB and DAB panel member. Qualified for WisDOT's Statewide Standing Roster of Prequalified DRB Members. Dispute Review Board / Project Neutral experience includes vertical construction project for a children's hospital campus expansion project, mixed use development, and an assisted living senior housing facility.

Other ADR Professional Affiliation:

Chair of State Bar of Arizona Alternative Dispute Resolution (ADR) Section 2013 – 2014. Vice Chair and Chair Elect, State Bar of Arizona ADR Section 2012 - 2013.

John T Jozwick Esq
Senior Vice President and General Counsel

Examples of Construction Disputes Heard / Resolved:

- Highway Construction Dispute
- Shipbuilding Dispute
- Solar Panel Manufacturer – Installer Dispute
- Pipe Bursting / Slip Lining Project Dispute
- Senior Living Facility Construction Project Dispute
- Subcontractor – Prime Contractor Civil Work Dispute
- Property Flood Damage Dispute
- Retail Development Construction Delays and Lease Dispute
- Commercial Tenant Improvement Dispute
- Architect / Engineer Errors and Omissions Disputes and Design Services Contract Dispute
- Insurance Appraisal on Construction Delay / Loss
- Offshore Oil Rig Supply Vessel Construction Dispute and Ship Repair Disputes
- Grain Processing Plant Construction Dispute
- Residential Remodel Disputes
- Residential and Commercial New Construction Disputes
- Highway Overpass Construction Dispute
- Community Center / Swimming Pool Construction Dispute
- Waste Water / Sewage Treatment Plant Construction Dispute
- Utility (Water and Sewer) Installation Dispute
- Mixed Use Design and Construction Disputes
- Housing Development Earthwork / Site Grading Dispute

John T Jozwick Esq
Senior Vice President and General Counsel

Continuing Education and Training - Alternative Dispute Resolution

- The Dispute Resolution Board Foundation and Nevada Department of Transportation, Dispute Review Team Training Workshop, Las Vegas, NV, 4/16
- State Bar of Arizona, Case Law Update in Dispute Resolution, Phoenix, AZ, 6/15
- AAA, Arbitrator Discretion: A Look at Some Best Practices, Phoenix, AZ, 4/15
- AAA, Avoiding Ten Common Missteps Arbitrators Make, Phoenix, AZ, 4/15
- AAA, Conducting Research and Investigations – The Arbitrator's Authority, Phoenix, AZ, 4/15
- State Bar of Arizona, Weaving Alternative Dispute Resolution Into the Fabric of the Law, Phoenix, AZ, 4/15
- ABA, Advanced Mediation Institute, San Antonio, TX, 10/14
- AAA, Principled Deliberations: Decision-Making Skills for Arbitrators, Phoenix, AZ, 5/14
- State Bar of Arizona, Recent Cases Which Govern Drafting an Enforceable Arbitration Clause, Phoenix, AZ, 5/14
- State Bar of Arizona, Ten Steps Towards More Effectively Representing a Client in Mediation, Phoenix, AZ, 4/14
- State Bar of Arizona, What's New in ADR: Case Law Update, Phoenix, AZ, 3/14
- AAA, Challenges at the Preliminary Hearing, Phoenix, AZ, 2/14
- AAA, Managing the Arbitration Process Following the Preliminary Hearing, Phoenix, AZ, 2/14
- AAA, Arbitration Rules Update, Phoenix, AZ, 2/14
- State Bar of Arizona, Drafting Effective ADR Clauses in Construction Contracts, Phoenix, AZ, 11/13
- State Bar of Arizona, Mediation Ethics and the Bad Apple Problem, Phoenix, AZ, 10/13
- State Bar of Arizona, Ethical Pitfalls for Arizona Mediators and Arbitrators, Phoenix, AZ, 9/13
- State Bar of Arizona, Getting Past the Emotion in Mediation, Phoenix, AZ, 6/13
- State Bar of Arizona, Navajo Peacemaking, Restorative Justice and Cultural Awareness, Phoenix, AZ, 6/13
- AAA, Developments in Arbitration Law: Disclosure, Vacatur, Sanctions, and Arbitrator Authority, Phoenix, AZ, 5/13
- State Bar of Arizona & AAA, Your Worst Nightmare: Arbitrating a Case with a Poor ADR Clause, Phoenix, AZ, 3/13
- State Bar of Arizona, ADR Workouts in a Recessionary Environment, Phoenix, AZ, 6/12
- State Bar of Arizona, Strategic ADR Advocacy, Phoenix, AZ, 6/12
- AAA, Advanced Mediator Training: Managing the Dynamics of a Multi-Party Case, Phoenix, AZ, 11/11
- AAA, Maximizing Efficiency & Economy in Arbitration: Challenges at the Preliminary Hearing, Phoenix, AZ, 10/11
- The Dispute Resolution Board Foundation, DRBF 15th Annual Meeting and Conference, Seattle, WA, 9/11
- State Bar of Arizona, Micro-Interventions in Mediation, Phoenix, AZ, 9/11
- State Bar of Arizona, Extreme ADR – Sophisticated Tools for the Truly Professional Mediator, Tucson, AZ, 6/11
- State Bar of Arizona, Practice Tips and Pitfalls Under the Revised Uniform Arbitration Act, Tucson, AZ, 6/11
- State Bar of Arizona, 2010 Private Arbitration Update: Arizona's New Revised Uniform Arbitration Act & Arbitration Case Law Update, Scottsdale, AZ, 11/10
- State Bar of Arizona, Pitfalls for Construction Lawyers Under the Revised Uniform Arbitration Act, Phoenix, AZ, 10/10
- AAA, Five Steps to Fast-Track the Large, Complex Construction Case, Webinar, 2/10
- State Bar of Arizona, New Construction Industry Arbitration Rules and Mediation Procedures, Phoenix, AZ, 12/09
- The Dispute Resolution Board Foundation, 2009 Caltrans DRB Workshop, San Diego, CA, 11/09
- The Dispute Resolution Board Foundation, 2009 Caltrans DRA & Procedures Workshop, San Diego, CA, 11/09
- State Bar of Arizona, Ethics and the Expert Witness, Phoenix, AZ, 11/09

John T Jozwick Esq
Senior Vice President and General Counsel

- State Bar of Arizona, Real World Negotiation Ethics, Phoenix, AZ, 10/09
- The Dispute Resolution Board Foundation, DRB Chairing Workshop, Houston, TX, 10/09
- The Dispute Resolution Board Foundation, DRBF 13th Annual Meeting and Conference, Houston, TX, 10/09
- State Bar of Arizona, Practice Pointers for Construction Arbitration, Phoenix, AZ, 9/09
- State Bar of Arizona, Guerrilla Mediation, Phoenix, AZ, 6/09
- State Bar of Arizona, Shift in Tactics: Trends Away From Jury Trials in International Disputes, Phoenix, AZ, 6/09
- State Bar of Arizona and AAA, 2009 Private Arbitration Update, Scottsdale, AZ, 5/09
- Construction Dispute Resolution Services, Arbitrator, DRB, and Advanced ADR Training, Albuquerque, NM, 9/08
- The Dispute Resolution Board Foundation, Spring Meeting and Workshop on Position Papers, Seattle, WA, 6/08
- State Bar of Arizona, Are You an Ethical Mediator or Arbitrator?, Phoenix, AZ, 4/08
- American Bar Association, ABA Section of Dispute Resolution, 10th Annual Spring Conference – Pacific Currents: Sound Perspectives on ADR; Hot Topics in Arbitration; Taking Control of the Discovery Process in Arbitration; Breaking Impasses; Hobbling Through the Three-Legged World of Insurance Mediation; Negotiating by Numbers; Women Don't Ask; Dispute Boards; Emerging Trends in ADR for California Construction Litigation; Unique Aspects of Construction Arbitration; The Language of Conflict; Mediation and Settlement of Multi-Party Disputes; Med-Arb and Arb-Med, Seattle, WA, 4/08
- State Bar of Arizona, Discovery in Arbitration, Phoenix, AZ, 2/08State Bar of Arizona, The A, B, C, and E's of Mediation, Phoenix, AZ, 6/06
- State Bar of Arizona, Arizona's Court Connected Arbitration System, Phoenix, AZ, 6/06
- State Bar of Arizona, Why Client's Love ADR, Tucson, AZ, 6/05
- AAA, Dealing with Delay Tactics, Phoenix, AZ, 2005
- AAA, Arbitrator Ethics and Disclosure, Phoenix, AZ, 2005
- AAA, Drafting Decisions, Phoenix, AZ, 2003
- AAA, Handling Pro Se Cases, Phoenix, AZ, 2003
- AAA, Arbitrator Update, Phoenix, AZ, 2001
- AAA, Construction Industry Arbitrator II Training, Las Vegas, NV, 2/01
- Accord Mediation/Arizona Dispute Resolution Association, Level I Mediation Training and Certification, Tucson, AZ, 2/00
- AAA, Commercial Arbitrator Training, Phoenix, AZ, 11/99
- State Bar of Arizona, Private Arbitration in Arizona, Scottsdale, AZ, 5/99
- State Bar of Florida, Civil Court/Commercial Mediation Certification, Orlando, FL, 3/97
- AAA, Construction Arbitrator Training, Phoenix, AZ, 2/97
- American Bar Association/AAA Construction Mediation Training, Denver, CO, 12/94

John T Jozwick Esq
Senior Vice President and General Counsel

Continuing Education and Training - Construction Training and Education

- International Code Council, 2015 International Residential Code (IRC) Essentials, Las Vegas, NV, 3/16
- International Code Council, International Residential Code (IRC) Residential Inspections, Las Vegas, NV, 3/16
- International Code Council, 2015 Uniform Plumbing Code / Uniform Mechanical Code (UPC/UMC) Combination Inspections, Las Vegas, NV, 3/16
- International Code Council, Combination Inspections of Commercial Structures, Las Vegas, NV, 3/16
- International Code Council, 2015 International Fire Code (IFC) Essentials, Las Vegas, NV, 3/16
- State Bar of Arizona, Avoiding, Transferring and Allocating Risks in Construction Projects, Phoenix, AZ, 6/15
- State Bar of Arizona, Lost in the Rubble? A Search for Neglected Arizona Construction Decisions, Scottsdale, AZ, 4/15
- State Bar of Arizona, Recent Trends in the Economic Loss Rule, Phoenix, AZ, 3/15
- State Bar of Arizona, Embracing the Future of Construction: Building on Stories of Success and Innovation, Tucson, AZ, 6/14
- State Bar of Arizona, Warranties on Construction Projects, Scottsdale, AZ, 3/14
- State Bar of Arizona, Hot Topics in Construction Law, Phoenix, AZ, 9/13
- State Bar of Arizona, Summary Review and Observations of Arizona's Most Significant Lien Law Cases from the Past 28 Months, Phoenix, AZ, 11/12
- ALFA International, Rebuilding America: Constructing the Road to Recovery, Colorado Springs, CO, 7/12
- State Bar of Arizona, Key Issues in Construction Litigation, Scottsdale, AZ, 3/12
- State Bar of Arizona, It's the Economy: Completing Distressed Projects, Tucson, AZ, 6/11
- State Bar of Arizona, Attending the Wake of a Well-Intentioned Real Estate Project, Tucson, AZ, 6/11
- State Bar of Arizona, Mastering Construction Law, A Close Look at Ten Arizona Statutes That May Impact Your Construction Practice, Scottsdale, AZ, 2/11
- Lorman Education, Building Code Update For Arizona, Phoenix, AZ, 10/10
- State Bar of Arizona, Important New Changes to Arizona Prompt Pay Act, Phoenix, AZ, 9/10
- State Bar of Arizona, Arizona Construction Law 2010; Examining Emerging Trends Over the Past 10 Years, Scottsdale, AZ, 2/10
- International Code Council Webinar, 2009 International Plumbing Code Update, 12/09
- International Code Council Webinar, 2009 International Mechanical Code Update, 11/09
- State Bar of Arizona, Considerations for the Construction Lawyer in a Green World, Phoenix, AZ, 10/09
- State Bar of Arizona, Best Practices: Handling the Multi-Party Construction Case Efficiently, Effectively and Ethically, Phoenix, AZ, 6/09
- American Bar Association, Forum Committee on the Construction Industry, Annual Meeting, Talking Green Blues: Energy, Sustainability, and Green Building Challenges Affecting the Construction Industry, New Orleans, LA, 4/09
- State Bar of Arizona, Ethical Issues in a Down Economy, Phoenix, AZ, 4/09
- State Bar of Arizona, Insurance Coverage for Construction Claims, Phoenix, AZ, 3/09
- State Bar of Arizona, A Close Inspection of Recent Arizona Construction Law Decisions, Scottsdale, AZ, 2/09
- International Code Council, 2008 Residential Inspection Institute, Seattle, WA, 12/08, including:
  - 2006 IRC Performing Residential Building Inspections
  - 2006 IRC Performing Residential Mechanical Inspections
  - 2006 IRC Performing Residential Plumbing Inspections
  - 2006 IRC Performing Residential Electrical Inspections
- State Bar of Arizona, Limitations of Liability Clauses in Design Professional Services Contracts, Phoenix, AZ, 10/08

John T Jozwick Esq
Senior Vice President and General Counsel

- American Bar Association, Forum Committee on the Construction Industry, Annual Meeting, Don't Tell Me What I Should Have Done – What Do I Do Now? – Confronting the Unexpected, La Quinta, CA, 4/08
- Maricopa County Bar Association, Overhead, Phoenix, AZ, 3/08
- State Bar of Arizona, Building Information Modelling, Phoenix, AZ, 3/08
- Arizona Builders' Alliance, ConsensusDOCS, Tempe, AZ, 2/08
- State Bar of Arizona, Emerging Issues for Construction Lawyers, Scottsdale, AZ, 2/08
- State Bar of Arizona, The Registrar of Contractors: An Overview, Newly Enacted Legislation & Proposed Legislation Affecting the Construction Industry, Phoenix, AZ, 1/08
- Lorman Education, Building Code Update For Arizona, Phoenix, AZ, 7/07
- State Bar of Arizona, Choosing the Right Design and Construction Contracts, Scottsdale, AZ, 6/07
- State Bar of Arizona, Condominium Conversions, Phoenix, AZ, 6/06
- West Coast Casualty Service, Construction Defect Seminar, Anaheim, CA, 5/06
- PM Tec, Inc., Primavera P3e/c Training, Phoenix, AZ, 12/05
- State Bar of Arizona, Construction Contracts, Tucson, AZ, 6/05
- West Coast Casualty Service, Construction Defect Seminar, Anaheim, CA, 5/05
- State Bar of Arizona, Changing Role of the Construction Lawyer, Scottsdale, AZ, 6/04

John T Jozwick Esq
Senior Vice President and General Counsel

Recent Deposition, Hearing, Testimony Experience

2015

Parish Farms, Inc., Plaintiff, v. Dialysis Newco, Inc., dba DSI Renal; Biomedical Applications of California, Inc., dba Fresenius Medical Care of Waipahu; et.al., Defendants, and Related Counterclaims
In the United States District Circuit for the District of Hawaii
Civil No. 1:14-CV-00495 KSC
Deposition Testimony Regarding a Landlord Tenant Dispute on Responsibilities for Shell Building Completion, Tenant Improvements, and Costs to Complete Shell Building of a Dialysis Clinic in Waipahu, Hawaii

2014

Cochise Contractors, Inc., Claimant / Counter-respondent v. Caspian Sea, Inc., Respondent / Counterclaimant
In Private Arbitration
Deposition Testimony Regarding Workmanship Issues and Delays in the Remodel of a Gas Station / Convenience Store in Phoenix, Arizona, including Scope and Cost of Repair

Melchizedek Real Estate Holdings, LLC, Claimant, v. A.R. Mays Construction, Inc., Respondent
American Arbitration Association, Case No. 76 110 Y 00347 13 MRP
Arbitration and Deposition Testimony Regarding Schedule Delays, Liquidated Damages, Outstanding Change Order Requests, Credit Changes Relating to the New Construction of a High School in Gilbert, Arizona

Plaza Waterfront Condominium Development, LLC and Plaza Fountainside Limited Partnership, Plaintiffs, v. Timothy D. Ducar and Jane Doe Ducar, husband and wife and Lorona Steiner & Ducar, PLLC, f/k/a Lorona, Steiner, Ducar, Coughlin & Horowitz, PLC, Defendants, and Related Counterclaims
In the Superior Court of the State of Arizona, In and For the County of Maricopa, Case No. CV2009-032534
Jury Trial Testimony Regarding Damages, Delays, Mechanics Lien, and Other Issues Relating to a Mixed Use Condominium Project in the Town of Fountainhills, Arizona

Meadow Valley Contractors, Inc., Plaintiff / Counter-Defendant, v. C&S Engineers, Inc., Defendants / Counter-Claimants, and Related Third-Party Claims
In the Superior Court of the State of Arizona, In and For the County of Apache, Case No. CV2011-0211 (Consolidated with CV2012-016)
Deposition Testimony Regarding Damages, Costs, Schedule, Delay Relating to an Airport Runway and Taxiway Renovation Project in the Town of Springerville, Arizona

2013

Agate Concrete, Inc., Claimant v. DelMastro Eells Construction, LLC, Respondent
American Arbitration Association, Case No. 76 110 00093 13
Arbitration and Deposition Testimony Regarding Delays and Costs, Including Schedule Analysis Relating to the Renovation, Re-Model, and Construction of Cabanas, Pool, and Pool Slide Construction Project at a Scottsdale, Arizona Resort

John T Jozwick Esq
Senior Vice President and General Counsel

Prescott Surgical Clinic, P.C., Plaintiff v. Arizona Repair Masons, Inc., Defendant, and Related Third-Party Claims
In the Superior Court of the State of Arizona, In and For the County of Yavapai, Case No. P1300-CV-201200488
Deposition Testimony Regarding Damages, Costs, and Repairs to Basement Walls and Floor due to Water Intrusion and Use of Concrete Crystalline Waterproofing

Seth Fagerlie, Plaintiff v. Markham Contracting Co., Inc., et.al., Defendants
In the Superior Court of the State of Arizona, In and for the County of Maricopa, Case No. CV2008-007731
Deposition Testimony Regarding Timing of Start of Work, Completion of Work, Periods of Cessation of Work, and Value of Work Relating to a Mechanics Lien Foreclosure Action

Ellie Tortora, Plaintiff v. Joan M. Lang and Warren Lang, Defendants
In the Justice Court of the State of Arizona, In and for the County of Maricopa, Case No. CC2012082841
Deposition Testimony Regarding Workmanship Standards for Painting a Residence and Costs to Repair
Bench Trial Testimony Regarding Workmanship Standards for Painting a Residence and Costs to Repair

2012

John E. And Candy L. Adamow, et.al., Claimants v. Sivage-Thomas Homes of Arizona, Inc., Sivage Thomas of Arizona, Inc., Pulte Home Corporation, et.al., Respondents
American Arbitration Association, Case No. 76 110 277 08
Deposition and Arbitration Testimony Regarding Grading and Drainage Issues, Scope to Repair, Damages, Costs to Repair Relating to a Community Development

Operations Management International, Inc., Claimant v. Fort Mojave Tribal Utility Authority, Respondent
American Arbitration Association, Case No. 72 145 Y 00520 10 SIM
Arbitration Testimony Regarding Damages, Costs, and Repairs to Various Tribal Utility Systems Including the Waste Water Treatment Plant, Water Wells, Water Distribution System, and other Utility Systems

2011

Operations Management International, Inc., Claimant v. Fort Mojave Tribal Utility Authority, Respondent
American Arbitration Association, Case No. 72 145 Y 00520 10 SIM
Deposition Testimony Regarding Damages, Costs, and Repairs to Various Tribal Utility Systems Including the Waste Water Treatment Plant, Water Wells, Water Distribution System, and other Utility Systems

Jay and Brenda Schwartz, Plaintiffs v. Steg Custom Homes, Inc., Defendant
Arizona Registrar of Contractors, Office of Administrative Hearings, Case No. 2010-13511974, Formerly No. 10-1351
Testimony at ROC Compliance Hearing Regarding Work Performed at a Residence Re-model and New Addition

A. Miner Contracting, Inc., Plaintiff v. Dana Kepner Company, Inc., et.al., Defendants
In the United States District Court, For the District of Arizona, Case No. 3:10-CV-08083-JRG
Deposition Testimony Regarding Damages Associated with Delays and Repairs to Underground Ductile Iron Pipe Installation for a Water Main System

John T Jozwick Esq
Senior Vice President and General Counsel

Arizona School Risk Retention Trust, Plaintiff v. The Orcutt/Winslow, LLLP, et.al., Defendants
In the Superior Court of the State of Arizona, In and for the County of Maricopa, Case No. CV2009-016580 & CV2009-024068
Deposition Testimony Regarding a Flood at Elementary School and Duties of Homebuilder Regarding Wash, Culverts, and Drainage Designations and Maintenance

2010

Bernard M. and Geraldine P. Cygan, Plaintiffs v. Lewis & Walraven Enterprises, Inc., Defendant, and Related Third Party Claims
In the Superior Court of the State of Arizona, In and for the County of Yavapai, Case No. CV2008-1396
Jury Trial Testimony Regarding Construction Defects and Repairs at a New Residence Construction

Kaslly Family Revocable Trust, et.al., Plaintiffs v. Distinctive General Contracting, Inc., et.al., Defendants
In the District Court of the State of Nevada, In and for the County of Clark, Case No. A507598, Dept. No. XVII
Deposition Testimony Regarding Construction Defects at a New Residence Construction

Los Paseos Condominium Owners Association, Plaintiff v. Windsor Beardsley, LLC, et.al., Defendants, and Related Third Party Claims
In the Superior Court of the State of Arizona, In and for the County of Maricopa, Case No. CV2009-011204
Deposition Testimony Regarding Construction Defects at a Multi-Family Condominium

2009

Michael Kraft and Lupe Kraft, Plaintiffs v. Richard Owens and Jane Doe Owens, d/b/a Desert Jewel Homes, Defendants
Arizona Registrar of Contractors, Complaint No. 09-4577
Testimony at ROC Hearing Regarding Construction Defects of a New Residence Construction

Bernard M. and Geraldine P. Cygan, Plaintiffs v. Lewis & Walraven Enterprises, Inc., Defendant, and Related Third Party Claims
In the Superior Court of the State of Arizona, In and for the County of Yavapai, Case No. CV2008-1396
Deposition Testimony Regarding Construction Defects at a New Residence Construction

Mountain View Custom Home Builders, Inc., Plaintiff v. Jerry Ayoub and Claudia C. Ayoub, Defendants
In the Superior Court of the State of Arizona, In and for the County of Maricopa, Case No. CV2003-011431
Bench Trial Testimony Regarding Construction Defects of a New Residence Construction and Costs to Repair

2008

City of Phoenix, Plaintiff v. Leo A. Daly Company, Defendants
In the United States District Court, District of Arizona, Case No. CV07-0110-PHX-JAT
Testimony at Deposition Regarding Schedule Delays and Schedule Impact on a Convention Center Expansion Project

John T Jozwick Esq
Senior Vice President and General Counsel

East Valley Contractors, LLC, License No. 202003, Complainant v. Estilo, Inc./Custom Homes by Randy Cozens, License No. 181993/23351, Respondent
Before the Registrar of Contractors of the State of Arizona, Case No. 08-2270, 08-2270W0, 07-2932, and 07-2932W
Testimony at ROC Hearing Regarding Construction Defect Allegations, Workmanship Standards, Contractor License Issues, Delay Claims, and Backcharges for Defective and/or Incomplete Work

TA-Wallick Construction, LLC, dba Tofel Construction, Claimant v. Elk Ridge Apartments, LLC, Respondent
American Arbitration Association, Case No. 76 110 Y 00304 06 SHST
Deposition and Arbitration Testimony Regarding Construction Delays, Schedule Impact, and Termination for Default of a Multi-Family, Multi-Building Apartment Complex

Mountain View Custom Home Builders, Inc., Plaintiff v. Jerry Ayoub and Claudia C. Ayoub, Defendants
In the Superior Court of the State of Arizona, In and for the County of Maricopa, Case No. CV2003-011431
Deposition Testimony Regarding Construction Defects of a New Residence Construction and Costs to Repair

Kelly Hayden, Plaintiff v. Questa Vida Homeowners Association, Defendant
In the Superior Court of the State of Arizona, In and for the County of Coconino, Case No. CV2006-013148
Arbitration Testimony Regarding the Forensic Investigation of Water Intrusion, Scope and Cost to Repair for a Condominium Residence

2007

MCM Development, L.L.C., Plaintiff v. TFH Properties, L.L.C., et.al., Defendants
In the Superior Court of the State of Arizona, In and for the County of Coconino, Case No. CV2006-0519
Deposition and Arbitration Testimony Regarding Construction Management, Delays, and Defects of a Boat Storage and Boat Repair Facility

Alta Vista @ Bella Lago, et.al., Plaintiffs v. Bella Lago, L.L.C., et.al., Defendants
In the Superior Court of the State of Arizona, In and for the County of Maricopa, Case No. CV2006-009630
Deposition Testimony Regarding Construction Defects of a New Multi-Family Condominium Construction

Premier Storage Property Owners, Inc., Plaintiff v. Keith Davis and Jane Doe Davis dba K Squared Construction, et.al., Defendants
In the Superior Court of the State of Arizona, In and for the County of Mohave, Case No. CV2004-0027
Deposition Testimony Regarding Construction Defects Regarding Construction of a Storage Facility

Robert W. Fogelsanger and Melodie Fogelsanger, Plaintiffs v. The Ryland Group, Inc., et.al., Defendants
In the Superior Court of the State of Arizona, In and for the County of Maricopa, Case No. CV2005-052528
Deposition Testimony Regarding Construction Defects of a New Residence Construction

Plateau Electrical Constructors Inc., et.al., Plaintiffs v. W.E. O'Neil Construction Company of Arizona, Inc., et.al., Defendants
In the Superior Court of the State of Arizona, In and for the County of Maricopa, Case No. CV2003-010968
Deposition Testimony Regarding Construction of a Juvenile Detention Facility and the Delays and Additional Costs Incurred by the Framing, Drywall, Stucco Subcontractor

John T Jozwick Esq
Senior Vice President and General Counsel

Hagins Residence
Testimony at Registrar of Contractors Hearing
State of Arizona Office of Administrative Hearings
Testimony at ROC Hearing Regarding Construction Defects of a New Residence Construction

Offe Custom Homes, Inc., Claimant v. Lucky and Robert Misrach, Respondent
American Arbitration Association
Testimony at Arbitration Hearing on Construction Defects and Payment Dispute Regarding a New Residence Construction

G.M.F. Roosevelt, et.al., Plaintiffs v. David Maule-Ffinch, et.al., Defendants
In the Superior Court of the State of Arizona, In and for the County of Maricopa, Case No. CV2005-0044892
Deposition and Trial Testimony Regarding the Construction Management and Delays of a New Marina Construction at Roosevelt Lake

2006

Wood Residence
Testimony at Registrar of Contractors Hearing, State of Arizona Office of Administrative Hearings
Testimony at ROC Hearing Regarding Construction Defects of a New Residence Construction

Banco Nacional de Mexico, S.A. de C.V., As Trustee under Fideicomiso Cabo del Sol, Banamex No. 140819-2 and R-C Los Cabos Servicios, LLC, Claimants v. Inmobiliaria Turistica de Baja California, S.A. de C.V., Respondent
Before the International Court of Arbitration Of the International Chamber of Commerce, New York, New York, Case No. 13192/JNK
Testimony at Arbitration Hearing on Schedule Analysis Regarding the Construction of a Hotel/Resort in Cabo San Lucas, Mexico

John T Jozwick Esq
Senior Vice President and General Counsel

Publications and Speaking Engagements

Publications:

- "5 Ways to Handle Conflict During Construction," Building Design & Construction, January 13, 2016, www.bdcnetwork.com/5-ways-handle-conflict-during-construction
- "The Use of ADR Neutrals in the Construction Industry," State Bar of Arizona, Arizona ADR Forum, Summer / Fall 2013
- "A Reflection on Construction Costs and Construction Employment," State Bar of Arizona Construction Law Newsletter, Spring 2011
- "Disputes are Avoidable with a Project Neutral," Arizona Builder's Exchange, Volume 1 Issue 76, December 17, 2010
- "The Human Effect During Conflict Resolution," AZ Development Central, Volume 3 Issue 14, April 2010
- "Why Would You Wait? Resolve Disputes as they Arise with a Dispute Review Board," The Arizonan Volume 6 Number 4. Arizona News Service for The Arizona Contractors Association, November 2009
- "Resolve Disputes As They Arise By Using A Dispute Review Board," Colorado Construction, McGraw Hill, July 2009
- "Arbitrating Shipyard Disputes and Damages," Society of Maritime Arbitrators, Inc., THE ARBITRATOR, volume 36, number 4, July 2005

Speaking Engagements:

- "Advanced Arbitration: Advocate or Arbitrator: Knowing Each Role Intimately Makes for More Effectively Advocating and Serving a Client, and Arbitrating and Serving Justice and the Process," State Bar of Arizona and ADR Section Advanced Program, Phoenix, AZ, April 2016
- "Claim Risk in Construction Contracts and Alternative Methods of Resolving Disputes," Arizona Society of Certified Public Accountants, Construction Industry Conference, Phoenix, AZ, October 2015
- "Claim Risk in Construction Contracts," Surety Association of Arizona, Phoenix, AZ, April 2015
- "Preparing for a Construction Mediation: A Mediator's Perspective," Maricopa County Bar Association Construction Law Section, Phoenix, AZ, October 2014
- "Preparing for Mediation," American Bar Association Section of Dispute Resolution Advanced Mediation and Advocacy Skills Institute, San Antonio, TX, October 2014
- "Preparing for a Construction Mediation: A Mediator's Perspective," State Bar of Arizona Construction Law Section, Phoenix, AZ, September 2014
- "An Ethics Update for ADR Professionals, and Practice Tips for Achieving Success in Mediation: Blue Highways or the Interstate?" State Bar of Arizona 2014 Annual Convention, Tucson, AZ, June 2014
- "Alternative Dispute Resolution," Forensic Expert Witness Association 2014 National Conference, Tempe, AZ, April 2014
- "Conflict Management and ADR: It's All About Trust," State Bar of Arizona ADR Section, Flagstaff, AZ, November 2013
- "Forensic Expert Practice Guides and Recommendations," Forensic Expert Witness Association, Phoenix, AZ, May 2013
- "The Road Ahead: Mapping Construction Industry Trends for 2013 and Beyond," State Bar of Arizona Construction Law Section, Phoenix, AZ, May 2013
- "Fundamentals of Construction Contracts: Understanding the Issues," Lorman Education Services, Phoenix, AZ, January 2013
- "The Road Ahead: Mapping the Construction Industry Economy Into 2013," National Association of State Contractors Licensing Agencies (NASCLA) 2012 Annual Conference, Bend, OR, October 2012

John T Jozwick Esq
Senior Vice President and General Counsel

- "Complex Multiple Party Disputes: Throw Out the Standard Mediation Model," RICS COBRA 2012 Legal Research Symposium, Las Vegas, NV, September 2012
- "'Winning' Your Complex Construction Mediation," ALFA International, 2012 Construction Law Practice Group Seminar, Colorado Springs, CO, July 2012
- "Strategic ADR Advocacy," State Bar of Arizona ADR Section, Continuing Legal Education Seminar, Annual Convention 2012, Phoenix, AZ, June 2012
- "The Road Ahead: Mapping Construction Industry Trends for 2012 and Beyond," State Bar of Arizona Construction Law Section, Phoenix, AZ, February 2012
- "The Road Ahead: Mapping Construction Industry Trends for 2012 and Beyond," The Boston Society of Architects Build Boston Conference, Boston, MA, November 2011
- "Risk, Dispute Resolution & Dispute Avoidance," City of Tucson, Departments of Procurement and Construction Focus Group, Tucson, AZ, September 2011
- "Risk, Trust & Disputes," Royal Institution of Chartered Surveyors (RICS), Southwest Chapter, Phoenix, AZ, September 2011
- "AIA Contracts," Lorman Education Services, Phoenix, AZ, July 2011
- "Construction Contracts: Trends In Risk, Dispute Resolution, And Dispute Avoidance," Association for the Advancement of Cost Engineering (AACE), Phoenix, AZ, September 2010
- "Effective Use of Dispute Review Boards (DRB's) to Avoid Costly Litigation," American Arbitration Association, Phoenix, AZ, August 2009
- "Best Practices: Handling the Multi-Party Construction Case Efficiently, Effectively and Ethically," State Bar of Arizona Construction Law Section, Continuing Legal Education Seminar, Annual Convention 2009, Phoenix, AZ, June 2009
- "Managing Construction Projects in Arizona: A Proactive Approach to Documentation and Discussion of Documentation Samples," Lorman Education Services, Phoenix, AZ, March 2009
- "Hot Topics in Arbitration, Dispositive Motions in Arbitration: Are They Allowed? Are They Favored?" State Bar of Arizona, Arizona State Bar Construction Law Section, Continuing Legal Education Seminar, A Close Inspection of Recent Arizona Construction Law Cases, Scottsdale, AZ, February 2009
- "Shipyard Disputes & Damages," Society of Maritime Arbitrators, Inc., New York, NY, April 2005

John T Jozwick Esq
Senior Vice President and General Counsel

Examples of Past Project and Dispute Experience (Prior to Engagement with RLB)

Bridges/Highways

- West Seattle Bridge & I-90, Seattle, WA
- Schuster Parkway, Tacoma, WA
- Jamestown Bridge, Jamestown, RI

Earthwork

- McGee Creek Earthen Dam, Atoka, OK
- Snohomish County Landfill, WA
- Everett Homeport Project, Everett, WA

Educational Facilities

- U.S. Coast Guard Classroom, Petaluma, CA
- Franklin High School, Seattle, WA

Foundations/Piling

- San Jose Hall of Justice, San Jose, CA
- Ports of Tacoma, WA, Los Angeles, Oakland, CA

Government

- Post Office Facility, Petaluma, CA
- Officers Quarters, Elmendorf Air Force Base, Anchorage, AL
- Barracks Facility, Fort Wainwright, Fairbanks, AL
- Navy Post-Graduate College Dormitories, Monterey, CA
- Bureau of Indian Affairs, Multiple Housing Projects Construction, AL
- Aviation Supply Facility, Camp Pendleton, CA
- Veteran's Hospital, Portland, OR

Hotels and Office Complexes

- Ritz Carlton/Fordland, Dearborn, MI
- 3rd & Fairfax Office Building, Los Angeles, CA
- Ritz Carlton, Marina del Rey, CA

Marine

- Oakland Army Base Wharf Construction, CA
- Port of Tacoma Wharf Construction, WA
- Port of Los Angeles Wharf Construction, CA
- Port of Long Beach Construction, CA

Prisons/Justice Centers

- San Jose Hall of Justice, CA
- Tarrant County, Texas Criminal Courts Facility, TX
- California Department of Corrections at Blythe, Jamestown, Vacaville, Susanville, CA
- King County Justice Center, WA

Ship Repair/Construction

- USS DULUTH
- USS CUSHING
- USCGC STORIS
- USNS KAWISHIWI
- US Army Fuel Oil Barges
- USS OKINAWA
- M/V ELWHA
- M/V TUSTAMENA
- M/V AURORA
- USS FIFE
- USS NIMITZ
- USS TISDALE
- USNS OBSERVATION ISLAND
- USCGC POLAR STAR

Transit

- Light Rail System, Portland, OR
- Red Line, Green Line Subway System, Los Angeles, CA

Utilities

- Mission Canyon Storm Drain/Sewer, Santa Barbara, CA