



Peckar & Abramson, P.C.

HELPING CONTRACTORS
BUILD FOR 45 YEARS



AUSTIN, TX
BOSTON, MA
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DALLAS, TX
HOUSTON, TX
LOS ANGELES, CA
MIAMI, FL
NEW YORK, NY
OAKLAND, CA
RIVER EDGE, NJ
WASHINGTON, DC
PECKLAW.COM



George C. Baldwin

Managing Partner, Austin Office

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BIO

George Baldwin is managing partner for the firm's Austin office. George focuses his practice on the resolution of commercial disputes through litigation, mediation, and arbitration. He is consistently called upon by top decision makers for his depth of knowledge and ability to resolve complicated construction-related problems in a cost-effective and business-oriented manner.

George has extensive experience in cases involving scheduling problems, acceleration, delays, defective construction, and defective and ambiguous plans and specifications. George also serves as an arbitrator and mediator for the Washington, D.C. and Dallas, Texas offices of the American Arbitration Association and for private parties.

Over the course of his career, George has handled an impressive range of complex, high-profile projects. He has successfully represented both public and private sector clients, including a U.S. city in a complex litigation involving the construction of a civic center, as well as a general contractor in a substantial multi-party litigation against a regional public transit company.

George has served on the Texas Building Branch Legislative Committee and is the former Chair of the Construction Law Section of the State Bar of Texas. He is the co-author of the Builders and Contractor's Handbook of Construction Claims, published by Prentice Hall, and editor of The Basics Book soon to be published by the Texas Institute of Continuing Legal Education in conjunction with the Construction Law Section of the State Bar of Texas. George frequently lectures on a variety of construction-related topics, both in the U.S. and abroad.

HIGHLIGHTS

ADMISSIONS

- State of Virginia
- District of Columbia
- State of Texas
- United States Court of Appeals for the Fourth District of Columbia Circuit
- United States Court of Appeals for the Eleventh District of Columbia Circuit
- United States District Court for the Eastern District of Virginia
- United States District Court for the Western District of Virginia
- United States District Court for the Northern District of Texas
- United States District Court for the Southern District of Texas
- United States District Court for the Eastern District of Texas
- United States District Court for the Western District of Texas

HIGHLIGHTS

EDUCATION AND COURSES

- Georgetown University Law Center, J.D., *magna cum laude*
- Trinity College, B.A., English

PRACTICE AREAS

- Construction and Infrastructure
- Construction Dispute Resolution
- COVID-19 Task Force

MEMBERSHIPS

- State Bar of Texas (Construction Law Section, former Chair and Council member)
- State Bar of Texas (Construction Law Section, Alternate Dispute Resolution Section)
- State Bar of Virginia (Construction Law Section, Alternate Dispute Resolution Section)
- The Austin Bar Association (Construction Law Section)
- The College of the State Bar of Texas
- Construction Lawyers Society of America (Fellow)

AWARDS AND RECOGNITIONS

- *Chambers USA*, Construction Law, Texas, 2020-2023
- *Texas Super Lawyers*, 2004-2023
- *Best Lawyers*, 2009-2024
- *Best Lawyers*, "Lawyer of the Year" in Construction Law – Austin region, 2014
- *Who's Who Legal: Construction*, 2021-2022
- Martindale-Hubbell AV Preeminent Rated

PUBLICATIONS AND PRESENTATIONS

- "Identifying, Quantifying, & Mitigating Schedule Delays and Disruptions," Construction Law Foundation of Texas and The Construction Law Section of the State bar of Texas Construction Law Webinar, September 2021
- "Pass-Through Claims Against Design Professionals", *Construction Law Journal*, Winter 2020
- "COVID-19 Forum: A Series on Managing Risk in Unprecedented Times, Episode 2," Peckar & Abramson Interactive Forum, April 2020
- COAA Owner Training Institute Schedule Management Course, University of Oregon, March 2020
- "Proving Delay," Construction Law Conference, March 2020
- "Managing Engineering Liability and Risk Seminar," Halfmoon Education Seminar, January 2019
- "Construction Owners Association of America: Owner Training Institute Course – Schedule Management," COAA Owner Training Institute, March 2018



Justin D. Holzheuser

Senior Counsel

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BIO

JD Holzheuser is senior counsel in Peckar & Abramson's Austin and Houston office. He regularly works with general contractors, subcontractors, owners, sureties and suppliers handling complex construction and construction-related matters. Contract disputes, contract drafting and review, mechanic's liens, public and private bonds, delay claims, construction and design defects, and dispute resolution are all part of JD's construction practice. JD also stays active at the state legislative level observing and aiding with legislation that impacts the construction industry. JD's extensive experience with state politics provides a unique perspective for clients in relation to legislative policies that impact the construction industry.

JD is an active member and former chairman of the Austin Bar Association's Construction Law Section, a member of the legal affairs committee for The Associated General Contractors of America Austin Chapter, and an active member and former chairman of the Construction Leadership Council Austin Chapter's Steering Committee. JD has been selected as a Rising Star in Construction Law by *Super Lawyers* every year since 2017 and One to Watch by *Best Lawyers* from 2021 to 2023.

JD is a sixth generation Texan and a third generation Aggie. He earned a Bachelor of Science degree in Construction Science from Texas A&M University (Class of 2007) before attending and graduating from South Texas College of Law. While attending South Texas College of Law, JD was a student editor for the *Construction Law Journal*. He has authored several articles on construction law issues for the *AGC Law in Brief*, *Construction Law Journal*, and several other local, regional, and national publications.

HIGHLIGHTS

ADMISSIONS

- State of Texas
- United States District Court for the Western District of Texas

EDUCATION AND COURSES

- Texas A&M University, B.S., Construction Science
- South Texas College of Law, J.D.

HIGHLIGHTS

PRACTICE AREAS

- Construction and Infrastructure
- Business Litigation
- Construction Dispute Resolution
- Government Contracts
- Public-Private Partnerships
- Surety

MEMBERSHIPS

- State Bar of Texas (Construction Law Section)
- Austin Bar Association (Construction Law Section - Chair)
- Associated General Contractors of America (Austin Chapter and Legal Affairs Committee)
- Austin Young Lawyers Association
- Associated Builders and Contractors (Central Texas Chapter)
- Construction Leadership Council (Former Steering Committee Chair)

AWARDS AND RECOGNITIONS

- *Texas Super Lawyers*, Rising Star, 2017-2023
- *Best Lawyers* "Ones to Watch," 2021-2024

PUBLICATIONS AND PRESENTATIONS

- "2023 Update on Labor & Employment Law for Texas Contractors," a P&A and AGC of South Texas Lunch N Learn, May 2023
- "Texas Mechanic's Lien and Payment Bonds" AGC Austin Lunch and Learn, May 2022
- "Construction Law for Contractors, Episode 3: Confusing Contract Clauses," AGC of South Texas Lunch & Learn, November 2021
- "2021 CLC Leadership Forum," AGC Austin Seminar, August 2021
- "Recent Texas Legislative Session Impact on the Construction Industry," Surety Association of South Texas Webinar, July 2021
- "Texas Mechanic's Lien and Payment Bonds," AGC Austin Seminar, May 2021
- "Pass-Through Claims Against Design Professionals," *Construction Law Journal*, Winter 2020
- "Documenting Contract Changes in Construction," *Construction Executive*, November 2020
- "Is Lonergan Dying in Texas," *Law 360*, 2020
- "Best Practice Tips for Employers: A Moderated Panel Discussion," AGC of Austin Legal Affairs Committee Panel on Employment Law, June 2018
- "Drones in Construction," *AGC Law in Brief*, March 2018
- "Document Control," P&A Rising Star Educational Series, February 2018
- "Review of the 85th Legislature on the Construction Industry," Austin Associated General Contractors Legal Affairs Committee, October 2017 (Speaker)
- "Perfecting Texas Mechanic's Liens," *Austin Lawyer*, 2017
- "Review of the 85th Legislature on the Construction Industry," *Construction News*, 2017
- "Texas Energy Sector Infrastructure Improvements Pave the Way for Good Business," *Texas Contractor*, 2017

HIGHLIGHTS CONTINUED

- “Brown Bag Lunch-and-Learn Lien Law Seminar,” Austin AGC Legal Affairs Committee, February 2017 (Speaker)
- “Getting Ready for OSHA,” *AGC Law in Brief*, 2016
- “No Damage for Delay? Not so Fast!” Texas Construction Law Conference, 2015 (Co-Author)
- “3D Printing in Construction,” *Modern Contractor Solutions*, 2015
- “What to expect in the New Year,” *Modern Contractor Solutions*, 2015
- “Liquidated Damages Clauses Commonplace in Construction Contracts,” *Modern Contractor Solutions*, 2014



Joshua M. Pruett

Associate

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BIO

Joshua is an associate in Peckar & Abramson's Construction & Infrastructure and Business Litigation practices. Based in the firm's Austin office, Joshua Pruett represents clients in a variety of matters within the construction industry, including construction defect cases and breach of contract disputes.

Joshua earned his B.S. in Civil and Environmental Engineering and M.S. in Civil Engineering, Geotechnical Emphasis from Brigham Young University. He worked as a geotechnical engineer in Baton Rouge, Louisiana, for 10 years, providing engineering services for a variety of public infrastructure, commercial construction, industrial facility, and pipeline projects.

Thereafter, Joshua earned his J.D. from Louisiana State University, where he also participated as a Production Editor for the Journal of Energy Law and Resources. While in law school, Joshua served as a Legal Extern for the Honorable Judge Shelly Dick in the United States District Court for the Middle District of Louisiana in Baton Rouge, Louisiana.

HIGHLIGHTS

EDUCATION AND COURSES

- Louisiana State University, J.D.
- Brigham Young University, M.S.
- Brigham Young University, B.S.

PRACTICE AREAS

- Business Litigation
- Construction and Infrastructure



JANUARY 1, 2023
Peckar & Abramson, P.C.
Hourly Fee Schedule for Commercial Practice - Domestic

When the fee arrangement between the client and Peckar & Abramson is to be on an hourly basis, clients are charged for time expended by the attorneys for all services rendered in connection with the representation of the client at the following current hourly rates:

SENIOR PARTNERS	\$575-\$850
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PARTNERS	\$475-\$600
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SENIOR COUNSEL	\$450-\$550
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ASSOCIATES

Peckar & Abramson has a two-tiered classification of billing rates for associate level attorneys. Listed below are the classifications and range of billing rate:

Senior Associate	\$395-\$445
Associate	\$295-\$390

SUPPORT PERSONNEL

Peckar & Abramson employs support personnel to assist in the service of its clients. They generally fall into the following categories and are charged at the hourly rates stated below:

Senior E-Discovery Specialist	\$300-\$450
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Technical Consultant	\$185-\$225
E-Discovery Specialist	\$290-\$325

Senior Paralegal/Analyst	\$250-\$350
Paralegal	\$125-\$185
	\$275-\$295

IT	\$150-\$175
	\$290-\$325

Document Coordinator	\$60-\$75
	\$125-\$150

Claims Consultant/Analyst	\$275-\$450
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The above rates and Additional Terms stated below are subject to periodic adjustment.



ADDITIONAL TERMS

Administrative Charges

It is the practice of most law firms to bill separately for certain expenses incurred in client representation, such as telephone, fax, copying, postage, word processing, use of the firm's informational technology personnel, computerized legal research access, local and long- distance messenger charges and secretarial or paralegal overtime, etc. Instead of having our attorneys and staff expend valuable time tracking and entering data for administrative expenses, Peckar & Abramson absorbs, within its hourly rates, charges for telephone, ordinary copying, postage, word processing usage, computerized legal research access, automobile travel cost and related expenses of travel within the general geographic region of the firm's office serving the client (such as tolls, gas and parking), messenger services by Peckar & Abramson office personnel (when available), expedited document delivery and other clerical support service.

The only charges that are not absorbed by Peckar & Abramson, and for which clients will be billed, are for actual case disbursements such as court filing fees, arbitration fees, stenographic fees, printing costs for appeal briefs, third-party charges for imaging, scanning and other document control systems, as well as other out-of-pocket fees, large scale document reproduction projects, costs of out-of-town travel and other appropriate and reasonable third-party expenses.

Storage and Processing of Clients' Electronically Stored Information ("ESI")

Peckar & Abramson recognizes the ever-increasing amount of ESI that is now standard in any legal action, as well as the skyrocketing cost of storing, managing, processing, and analyzing such ESI. As a result, Peckar & Abramson, for the benefit of its clients, has entered into a preferred pricing contract with Innovative Driven, an independent ESI vendor firm.

Innovative Driven, through its proprietary platform, can provide Peckar & Abramson's clients the elevated security, storage capacity, as well as the latest, and most up-to-date, analytical techniques to deal with ESI in any measure of litigation that Peckar & Abramson may handle.

The rate and charges for this ESI program, including Innovative Driven's services, will be as follows:

- There will be a charge of \$9.25 per gigabyte per month. This charge will include storage of the client's and other matter-related data (i.e., adversary disclosures, third party disclosure) on the Innovative Driven system and access to Innovative Driven's proprietary software (including Advanced Analytics, Technology Assisted Review and Artificial Intelligence) to assist in the review and analysis of the data. There are a number of variables permitting P&A's ability to offer this program at this rate that do not facilitate direct cost reimbursement. In the interest of expediency and full disclosure, the program is therefore offered at a fixed rate, which we believe provides an outstanding value for our clients.
- Clients will be charged only for the data placed in active storage for a given month. Once the data is no longer required to be in active storage, (e.g., for reviewing, tagging, processing) it will be removed to Cold Storage. Once the data is moved to Cold Storage, which can occur only quarterly, the client will no longer be charged the \$9.25 per gigabyte per month cost. Since our practice will generally be to keep ESI in active storage for ongoing matters, if circumstances arise such that a client is of the view that ESI need not be maintained in active storage (for example, an interest in suspending activity pending settlement discussions), please bring that consideration to our attention so we can assess whether a transfer to cold storage is advisable.



- The technical handling of the data (including, among others, loading of the data, Bates numbering, processing for production to opposing counsel, removal of documents from the data base), will generally be performed by P&A's trained in-house technical personnel at the hourly rate contained within this sheet. In certain instances, where there is an unusual complexity or volume involved, it may be possible that P&A's in-house personnel are not best suited to perform the required function. In these situations, we have arranged for Innovative Driven personnel to perform those actions at the rate of \$200.00 per hour, the cost of which will be passed through directly to the client without mark-up.
- Within its monthly statement for the legal work performed by its lawyers, paralegals and staff, P&A will include a separate itemization for the ESI storage and Innovative Driven-related charges.

Please also note that Innovative Driven and its preferred rates are offered to Peckar & Abramson's clients on an opt-in basis only. Should the client wish to use and pay another ESI vendor directly, the client is certainly welcome to do so. Peckar & Abramson will be happy to coordinate and work with any such vendor. Naturally, the charges of our personnel for so doing at the hourly rates states will be applicable.

Storage and Handling of Clients' Hard Copy Files and Materials

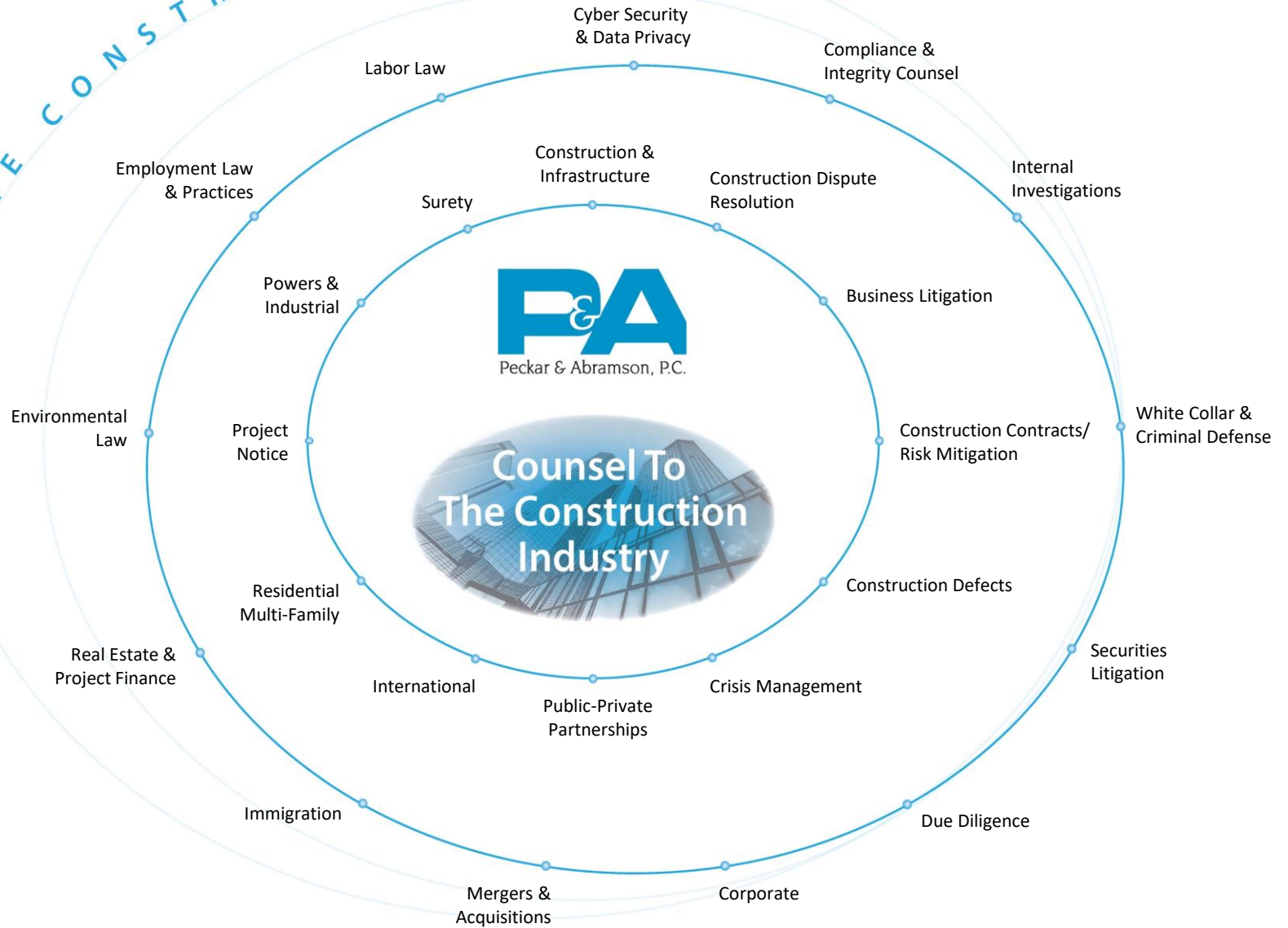
As a result of the nature of many of the cases for which we are engaged, we often are required to dedicate substantial space in our offices and staff time to the long-term storage of large volumes of materials, such as large numbers of "banker's boxes" of documents, plans, file cabinets and other documents/storage systems. In such cases the firm shall be entitled to a reasonable monthly charge for such storage at the firm's offices and handling of those materials. The firm will not assess any charge for up to 10 boxes of materials. For boxes in excess of 10, the firm shall charge \$3.00 per box per month which corresponds to the firm's costs of storage and handling. This charge covers the office space set aside for those materials as well as handling of the files by the Firm's clerical staff. When the firm stores materials off-site at storage facilities, those charges shall be charged to the client either directly or as a disbursement without mark-up by the Firm.

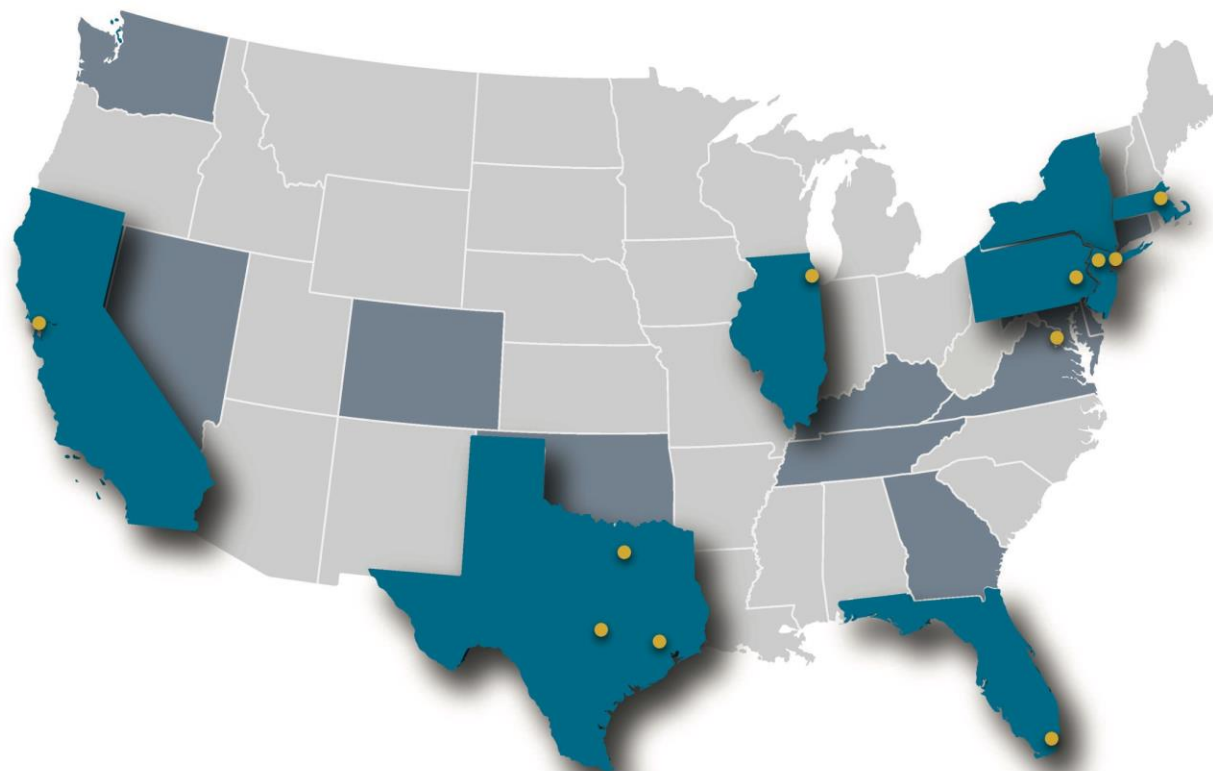
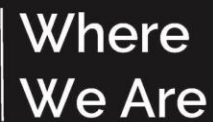
Monthly Invoices

Peckar & Abramson will render a bill to the client monthly for all fees earned during the previous month, together with all case disbursements. Peckar & Abramson will also invoice, monthly, to cover the ESI storage and Innovative Driven-related costs, as described above. Payment is respectfully requested immediately upon receipt of each bill, and in no event later than 30 days. The firm reserves the right to discontinue representation of the client if bills are not paid in a timely manner. The firm also reserves the right to charge interest at two points above prime rate per annum for all invoices not paid within the said 30 days.

The firm will submit a detailed invoice each month for each matter. The invoice will include the identification of all attorneys and billing staff working on the case, their time entries (including the amount of time expended for a specified date) in sufficient detail to enable the client to review the invoice and identify any questions or disagreements with the amount billed, the hourly rate for that attorney and all separately billable disbursements. The firm requests that clients review each invoice when it is received and notify the firm promptly of any questions or disagreements. The firm will not be able to make any adjustments to any invoice if a question or disagreement is not expressed within 60 days of the receipt of the invoice by the client.

P & A'S CORE CONSTRUCTION PRACTICE





LICENSED TO PRACTICE

Miami, FL
New York, NY
Oakland, CA
River Edge, NJ
Washington, DC

California
Connecticut
District of Columbia
Florida
Georgia
Illinois
Kentucky
Louisiana
Maryland

Massachusetts
New Jersey
New York
Oklahoma
Pennsylvania
Texas
Virginia
Wisconsin

Year Founded **1978** Offices **11** Attorneys **100+** Countries Served **50+**



Construlegal™

Argentina	Guatemala
Brazil	Mexico
Canada	Panama
Chile	Peru
Columbia	United States
El Salvador	Uruguay

LCL Alliance

United States
France
Germany

Experience

Australia	Israel (Middle East)	Myanmar	South Africa
Azerbaijan	Italy	Netherlands	Sri Lanka
Canada	Japan	Norway	Thailand
China	Kazakhstan	Papua New Guinea	Turkey
Finland	Kenya	Philippines	United Kingdom
France	Korea	Poland	United States
Germany	Malaysia	Portugal	Zambia
India	Mali	Russia	
Indonesia	Middle East	Serbia	
Ireland	Mozambique	Spain	



Awards & Recognitions



U.S. News – Best Lawyers “Best Law Firms” has ranked P&A, for the fifteenth consecutive year, in the top tier both nationally and regionally in Construction. The firm has also previously been named “Law Firm of the Year” in Construction and Construction Litigation. P&A attorneys have been consistently recognized by Best Lawyers.

U.S. News – Best Lawyers®, Best Lawyers Ones to Watch and “Best Law Firms”



P&A attorneys have been consistently rated by AV Preeminent by Martindale-Hubbell.

Martindale-Hubbell



P&A attorneys have been consistently recognized by Super Lawyers.

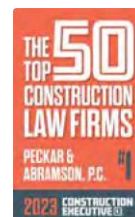
Super Lawyers



Peckar & Abramson, P.C.

Recognized by Chambers USA in the areas of Construction Law and Government Contracts: Highly Regarded at the coveted Band 1 level nationwide and recognized at the Band 1 level regionally in Florida, New York, New Jersey, Texas, and Washington, DC, and the Band 4 level in California. P&A stands alone in its distinction of being named a Band 1 firm in Construction Law nationally each year since Chambers has awarded this recognition.

Chambers



Construction Executive ranked P&A first among their “The Top 50 Construction Law Firms™.” P&A has been named in the first position since 2019, the inaugural year of the publication’s rankings.

Construction Executive



Recognized by The Legal 500: United States as a Top Tier law firm in Construction on a national level.

The Legal 500



P&A has achieved Midsize Mansfield Certification. To achieve this Certification, the firm completed an 18-month collaboration with Diversity Lab — from September 2021 to March 2023 — to track, measure, and advance diversity in leadership. P&A is one of the relatively few firms that are among the first to receive this recognition.

Mansfield Rule



P&A attorneys have been consistently recognized by Who's Who Legal in Construction and as Construction Thought Leaders.

Who's Who Legal