



MATTHEW F. GRAHAM Director

Business Litigation
Construction Law

Walnut Creek

P: 510.834.6600

F: 510.834.1928

mgraham@fennemorelaw.com

MATTHEW F. GRAHAM

Matt has represented owners, contractors, design professionals and sureties in a wide array of construction transactions and litigation throughout California and the western states.

From 1986 until 2002, Matt served as Chief Litigation Counsel in California for one of the five largest general contractors in the United States. He supervised complex construction litigation cases involving issues of payment, licensing, construction defects, design failures, mechanic's liens and stop notices, and has advocated and defended claims for delays and extras involving damages in the hundreds of millions of dollars. He has also attacked and defended numerous bid awards under Public Contract Code's Subletting and Subcontracting Fair Practice Act.

He has tried or arbitrated more than 30 construction disputes and successfully mediated or resolved countless more.

On the transactional side, Matt has drafted and negotiated the contracts for the design and construction of a wide array of public and private projects including individual and multi-family housing, hotels, hospitals, retail and office buildings, and manufacturing facilities.

- Business Litigation
- Construction Law

EDUCATION

- J.D., University of San Francisco, School of Law
- B.A., University of San Francisco

AREAS OF PRACTICE

- Business Litigation
- Construction Law

REPRESENTATIVE MATTERS

- Recovered \$15.5 million in delay damages and extras from the City of Beverly Hills for the general contractor who built the city's new Civic Center.
- Recovered \$1.8 million from one of the largest mechanical contractors in the U.S. who abandoned a winery project in Northern California. The total attorneys' fees expended for the client in this matter were less than \$125,000.
- Successfully negotiated contractor and subcontractor claims in excess of \$2.5 million on the State of California's Pelican Bay Prison Project.
- Successfully negotiated over \$20 million of contractor and subcontractor claims on the State Office Building in San Francisco.
- Successfully negotiated a surety's payment of more than \$2.5 million from the City of Los Angeles to a general contractor client and its surety for delays on several projects taken over by the client after abandonment by the previous contractor.
- Successfully negotiated the resolution of claims in excess of \$1 million on AC Transit's Oakland headquarters building.

- Recovered in arbitration \$1.2 million in delay damages for a general contractor from a national hotel chain for delays suffered on a new hotel construction. Working with opposing counsel and an independent arbitrator, was able to format the ground rules for a one week arbitration (for a matter that would have taken at least six weeks to try) in order to reduce the attorneys' fees and costs to all parties.
- Successfully negotiated more than \$4 million in subcontractor claims on the Theo Lacy Jail in Orange County.
- Recovered \$950,000 (including attorneys' fees) for a property owner after a three week jury trial for damage to property caused by earth movement.
- Recovered \$875,000 (including attorneys' fees) from a developer after a two week trial for a local general contractor who had been unfairly backcharged by the developer.
- Successfully negotiated on behalf of the owner and general contractor of a large hotel in San Francisco the settlement of some twenty subcontractor claims for project acceleration in the total amount of \$7 million.

AWARDS AND HONORS

- *Best Lawyers in America*®, Construction Law, Litigation – Construction, 2016-2024

PROFESSIONAL AND COMMUNITY ACTIVITIES

- Member, Alameda County Bar Association
- Member, St. Thomas More Society of San Francisco
- Member, Alpha Sigma Nu National Jesuit Honor Society
- Member, San Francisco Bay Association
- Member, American Bar Association

ADMISSIONS

- California