

B. David Carson

Partner

1065 East Morehead Street
Charlotte, North Carolina 28204
P :704.998.2214
F 704.376.1628
dcarson@jahlaw.com



I am on a team of a dozen construction lawyers and we have seen pretty much everything and can handle any construction issue in North Carolina and South Carolina. I am 100% all-in for my clients, fighting for them, dogged and focused on getting the best results. This high passion serves my clients well – my clients and I are ready for trial, but if the wisest course of action is to resolve the dispute, it makes our settlement discussions more strategic and successful.

David Carson is well-known for his 30-plus years of experience in the construction industry and handling North Carolina-based **construction litigation** and **arbitration**. He represents companies (general contractors and subcontractors, architects and engineers) in disputes concerning contracts, project delays, completion and cash flow issues, construction defects, permitting, surety issues, safety and more. David also counsels general contractors and subcontractors on the front end of projects in both the bidding and contracting phases, helping them plan and structure performance to avoid **litigation**. He also handles **real estate** litigation on behalf of buyers or sellers, particularly related to landlord/tenant disputes and HOA disputes. One of the greatest challenges David sees ahead relates to manpower and labor shortages in the **construction industry**, which will inevitably lead to more disputes. He understands how the people and resources of up to 10 or 20 companies involved in a single project must be well coordinated. Failure to anticipate this and structure this

Practices

Construction
Litigation
Mediation & Arbitration

Industries

Real Estate, Hospitality & Construction

Bar Admissions

North Carolina

Court Admissions

All District Courts in North Carolina

Education

University of North Carolina School of Law (JD, , 1988)
University of Notre Dame (BA, *cum laude*, 1985)

Associations

Professional

- **North Carolina Subcontractors Alliance** (NCSCA), Chapter Attorney (2015-2023)
- **North Carolina Bar Association**
 - Construction Section Council, Member (2022-2025)
 - Construction Section Council, Chair (2017-2018)

coordination well can also cause project timing and completion issues. David is used to this, knows what to do and appreciates the pre-construction consulting, but also enjoys being in the fray if and when disputes arise.

Representative Experience

- Successfully represented irrigation supply company in prosecuting lien claim against multiple owners, developing two golf courses
- Represented site work contractor defending serious alleged OSHA violations and negotiated resolution
- Represented public school entity in multi-prime litigation, involving various performance and payment bond claims
- Effectively represented subcontractor against various contractors, sureties and owner in complex, uptown development.
- Successfully asserted claims of lien on behalf of subcontractor involving bankruptcy estate of a general contractor, in the construction of an uptown hotel.
- Defended surety on various performance bond claims involving multi-prime litigation on university/public project.
- Defended design defect claim against design professional on a commercial project.

Publications

- Co-Author, "Maximizing Recovery of Your Attorneys' Fees in Carolina Construction Cases", Catalyst Construction Journal, (December 2022)
- Author, "Tips for the Subcontractor/Supplier Concerning Fact Gathering and Contractual Provisions that will Benefit it in the Lien Claim/Collection Process" Carolina Subcontractor (March 2010)

Speaking Engagements

- Construction Section Council, Immediate Past Chair (2019)
- Construction Section Council, Vice-Chair (2016-2017)
- Construction Section Ethics and Legislative Affairs Committee, Member (2014-2017)
- Construction Section CLE Committee, Co-Chair (2014-2016)
- Construction Section – United Minority Contractors of North Carolina Joint Liaison Committee, Chair (2012-2014)
- Lien and Bond Law Revision Committee, Member (2010-2014)
- Lien Law Revisions Committee, Member (2001-2005)
- Joint Committee Carolinas Association of General Contractors (AGC) and North Carolina Bar Association (2002-2003)
- Construction Section, Secretary (2000-2001)
- Construction Section, Treasurer (1998-1999)
- Adjunct Professor at Charlotte School of Law, Interviewing, Counseling & Negotiation (2013)
- **Mecklenburg County Bar**
- **National Subcontractors Alliance** (NSA) Attorneys Council, Member
- **American Bar Association**

Community

- **Notre Dame Club of Charlotte**, Past Board Member
- St. John's Lutheran Church, Former Youth Basketball Coach
- **Dilworth Little League**, Former Coach

Community

About Our Firm
Recognition

- Speaker, "Find the Smoking Gun!", NCBA Construction Law Section Fall 2023 Program (September 2023)
- Speaker, "Mechanics/Construction Liens and Payment Issues," National Business Institute Construction Law from Start to Finish Seminar (January, 2022)
- Speaker, "Building Envelope" – "Laying the Foundation, Brick by Brick: A Sticks-and-Bricks Program for Construction Law," NCBA Construction Law CLE (September 24 & 25, 2020)
- Speaker, "Delays in Construction – How to Resolve Them," National Business Institute Construction Law Bootcamp (July 22 & 23, 2019)
- Moderator, "Construction Lien Law in North Carolina," Lorman Education Services (November 2013)
- Featured Speaker, "Contract Law & Risk Management - NC Lien and Bond Law Update," NC Indian Economic Development Initiative (NCEDI) (August 2013)
- Featured Speaker, "Navigating Amended Chapter 44A: Its Benefits and Pitfalls," NCBA Paralegal Division Annual Meeting (May 2013)
- Panelist, "Legal Issues Impacting Minority Contractors," United Minority Contractors of North Carolina Annual Meeting (April 2013)
- Panelist, "Recent Changes to Lien & Bond Law," NC State Construction Conference (March 2013)
- Featured Speaker, "Construction Law 2013: Practice Smarter, Not Harder!" NCBA (February 2013)
- Speaker, Lien Law Presentation - Charlotte School of Law - NCBA (December 2012)
- Joint Construction Symposium - Marsh & McLennan/Johnston, Allison & Hord (October 2012)

- Speaker, "Forum on Major Changes to North Carolina Lien & Bond Laws," presented by Johnston, Allison & Hord (October 2012)
- Featured Speaker, "Bankruptcy, Lien Law and the General Assembly" (September 2012)
- Featured Speaker, "Double Payment Lien & Bond Law," Carolinas Association of General Contractors (CAGC) (August, September and October 2012 presentations)
- Featured Speaker, "Construction Lien Law in North Carolina," Lorman Education Services (August 2012)
- Featured Speaker, "Effects of Bankruptcy: Perspective of the Contractor and Subcontractor/Supplier," NCBA (February 2012)
- Featured Speaker, "Construction Lien Law in North Carolina," Lorman Educational Services (2000-2011)
- Featured Speaker, Construction Litigation CLE - Mecklenburg County Bar (2011)
- Featured Speaker, State Construction Conference (2011)
- Liens or Real Property for Parties Dealing Directly with Owner, Seminar for TAC, now Schneider Electric (2009)
- Featured Speaker, "Lien on Me," North Carolina Bar Association (2007)

Honors

- Order of the Coif, **University of North Carolina School of Law** (1988)
- **Chambers USA**, Recognized Attorney – Construction Law (2019-2023)
- **Business North Carolina "Legal Elite"** – Construction Law (2006-2011, 2013-2014, 2016-2019, 2021-2024)

- ***The Best Lawyers in America*®** – Lawyer of the Year – Construction Law (2021)
- ***The Best Lawyers in America*®** – Construction Law (2018-2024), Commercial Litigation (2024), Litigation-Construction (2024)
- ***Super Lawyers*® North Carolina** – Construction Litigation (2011-2023)
- ***Super Lawyers*® North Carolina** – Top 100 Attorneys in North Carolina (2016, 2017, 2021-2023)
- Business Today – Top 10 Powerful Construction Lawyers Shaping North Carolina's Industry (2023)
- **Martindale-Hubbell**, AV® Preeminent™ Peer Review Rated
- **North Carolina Bar Association**, Construction Section Council Member (2022-2025)
- **North Carolina Bar Association**, Construction Section Chair (2017-2018)
- **North Carolina Bar Association**, Construction Section Vice-Chair (2016-2017)