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Construction Lien Law in North Carolina

Charlotte, NC • November 12, 2013

Faculty

Moderator:

B. David Carson, *Johnston, Allison & Hord, P.A.*

Steven A. Bimbo, *Shumaker, Loop & Kendrick, LLP*

Gary J. Welch, *Johnston, Allison & Hord, P.A.*

Steele B. "Al" Windle III, *Shumaker, Loop & Kendrick, LLP*

For more information about our speakers, go to www.lorman.com/ID392077.

Arm yourself with an updated knowledge of North Carolina's newly amended lien law.

Attend this seminar and learn strategies for tackling lien and bond issues in any project. Find out how to efficiently collect payment for your work or supplies – or protect your property from unwarranted liens. If you're an attorney, learn how to properly advise your clients in the event of payment disputes or litigation.

Handling construction payment disputes in can be a turbulent process, but armed with the necessary legal knowledge, you can successfully manage even the most complex and costly situation. Register today.

Benefits for You

- File, perfect and preserve both liens and bond claims in public and private works
- Correctly identify what property is subject to a lien and who is entitled to recover payment
- Understand the effects that bankruptcy has on the construction process
- Properly fulfill requirements for releasing and discharging a lien

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Learning Objectives

- You will be able to discuss liens on real property for parties dealing directly with the owner.
- You will be able to review payment and performance bonds.
- You will be able to describe North Carolina's Retainage Law.
- You will be able to review lien waivers, change orders and extra work.

For more detailed CE credit information, visit us at www.lorman.com/ID392077 or contact us at 866-352-9540.



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Seminar Agenda

8:00 AM - 8:30 AM

Registration

8:30 AM - 10:15 AM

Liens on Real Property for Parties Dealing Directly With the Owner

— Gary J. Welch

- Background
- Parties Entitled to Lien
- Labor, Materials or Services Covered
- Requirements
- Perfection and Enforcement of Lien
- Priority and Extent of Lien
- Waiver of Lien
- Discharge of Lien
- Defenses of Lien
- Notice of Contract Protection
- Summary of 2012 Lien Law Amendments

10:15 AM - 10:25 AM

Break

10:25 AM - 12:00 PM

Liens for Parties Not Dealing Directly With Owner

— B. David Carson

- Background
- Lien on Funds
 - Parties Entitled to Lien on Funds
 - Labor, Materials or Services Covered and Requirements
 - Perfection of Lien on Funds
 - Duties, Liabilities and Rights of Obligor
 - Pro Rata Payments
 - Priority of Liens on Funds
 - Enforcement of Lien on Funds
- Personal Liability Lien on Real Property
- Subrogation Lien on Real Property

- Perfection and Enforcement of Subrogation Lien on Real Property
- Notice of Subcontract
- Summary of 2012 Lien Law Amendments

12:00 PM - 1:00 PM

Lunch (Included)

1:00 PM - 2:30 PM

Payment and Performance Bonds, Little Miller Act and Bankruptcy

— Steven A. Bimbo and Steele B. "Al" Windle, III

- Performance Bonds and Payment Bonds
 - Federal Construction Projects - The Miller Act
 - State Construction Projects - The Miller Act
 - Private Construction Projects
- Effects of Bankruptcy
 - Types of Bankruptcy Cases
 - The Effects of Bankruptcy on the Parties to the Construction Process

2:30 PM - 2:40 PM

Break

2:40 PM - 4:30 PM

Selected Special Topics

— Steven A. Bimbo and Steele B. "Al" Windle, III

- North Carolina Retainage Law
- Change Orders and Extra Work
- Lien Waivers
- Arbitration Clauses
- Insurance
- Presentation of a Construction Claim - What Your Attorney Will Want to Know

Presented By:

Steven A. Bimbo

- Attorney in the Charlotte office of Shumaker, Loop & Kendrick, LLP
- Principal area of practice is construction litigation
- Member of the North Carolina State Bar, the North Carolina Bar Association and the Greensboro Defense Bar
- Can be contacted at 704-375-0057 or sbimbo@slk-law.com

B. David Carson — Moderator

- Partner of the law firm of Johnston, Allison & Hord, P.A.
- Practices in the area of civil and construction litigation, concentrating on construction law with more than 25 years of experience
- Named as one of the Legal Elite lawyers in the area of construction law by Business North Carolina magazine each year from 2006 to 2011, 2013; named to Super Lawyers, 2011 to 2013
- Can be contacted at 704-998-2214 or dcarson@jahlaw.com

Gary J. Welch

- Principal in the Charlotte law firm of Johnston, Allison & Hord, P.A.

- Concentrates practice in construction litigation and arbitration, complex business litigation and employment litigation
- Named Lawyer of the Year, Charlotte Best Lawyers, in construction law, 2013
- Recognized as a North Carolina Super Lawyer for construction litigation, Best Lawyers in America for construction and North Carolina's Legal Elite in construction
- Can be contacted at 704-998-2314 or gwelch@jahlaw.com

Steele B. "Al" Windle III

- Partner in the Charlotte office of Shumaker, Loop & Kendrick, LLP
- Principal area of practice is construction law
- Listed in Best Lawyers in America
- Recognized as one of North Carolina Legal Elite by Business North Carolina magazine, 2000 to 2012; and as a North Carolina Super Lawyer, 2007 to 2012
- Can be contacted at 704-945-2176 or awindle@slk-law.com

For a complete list of accomplishments, visit www.lorman.com/ID392077.

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Milwaukee, WI 53201-2933

Where Is It?

Courtyard by Marriott Charlotte
Billy Graham Parkway
321 West Woodlawn Road,
I-77 at Exit 6B
Charlotte, North Carolina
704-523-1400

Who Should Attend?

This seminar is designed for attorneys, presidents, vice presidents, owners, accountants, credit managers, lenders, controllers, construction managers, project managers, office managers, engineers, architects, contractors and subcontractors.

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Arm yourself
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North Carolina's
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