



## G. Christian Roux

Senior Counsel

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### *Related Services*

Litigation ■ Construction ■ Government Contracts ■ Infrastructure & Public-Private Partnerships ■ Real Estate Litigation ■ A/E/C Industry Investigations and Enforcement Team ■ Hospitality ■ Commercial Construction

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Chris Roux previously led Alston & Bird's Construction & Government Contracts Team, as well as a senior member of the Environment, Land Use & Natural Resources Group. He represents construction owners, contractors, and other construction professionals in connection with public and private projects typically involving infrastructure, transportation, energy, industrial, commercial, sports, and residential works of improvement. He provides construction counseling to clients on the myriad issues that arise in the construction business, including project planning and procurement, drafting and negotiating contracts, and claims avoidance, including advising a power company client on procurement-related issues in connection with its \$4.4 billion nuclear power plant decommissioning project.

Chris has considerable experience prosecuting and defending multimillion-dollar extra work, delay, disruption, and inefficiency claims in state and federal courts, administrative hearings, and arbitrations. He has also worked on some of the largest construction claims matters in the U.S. In the environmental arena, Chris has represented clients in contamination claims under CERCLA, RCRA, CWA, and common law theories. His experience began in the 1980s representing oil companies in lawsuits resulting from leaking underground tanks. He also represented parties, both plaintiffs and defendants, in connection with contamination arising out of refining, manufacturing, plating, and hazardous waste storage operations. Chris has tried several environmental contamination cases and has developed tested relationships with environmental consultants who have a critical role in these matters.

### *Representative Experience*

#### ***Construction / Transactional***

- Represented a \$4.4 billion nuclear power plant decommissioning project.
- Represented a \$250 million EPC California power plant project.
- Represented a \$50 million affordable housing condominium development in Los Angeles.
- Represented a \$26 million P3 desalination plant in San Juan Capistrano, CA.
- Represented a \$45 million manufacturing facility in Connecticut.
- Represented a \$20 million cement plant expansion in Lucerne Valley, CA.
- Represented a \$140 million mixed-use condominium/condo/for-rent residential development in Ontario, CA.
- Represented a commercial developer with all construction-related transactional matters involving multiple projects in Southern California, totaling more than \$500 million.

- Drafted all construction-related contracts for a top 10 ENR-rated construction owner (\$600 million/year).

## ***Construction Litigation***

- Lead counsel representing a heavy civil contractor in pursuit of approximately \$30 million in claims against the DOT.
- Lead counsel representing the owner of the largest biogas facility in the U.S., prosecuting claims exceeding \$30 million and defending the client against \$14 million in claims asserted by a design/build contractor.
- Lead counsel representing a design/build contractor against claims arising out of the construction of a brewery in Asheville, NC.
- Lead counsel representing the project owner against claims exceeding \$40 million in claims arising out of the construction of a bio-solids facility.
- Lead counsel of an eight-week arbitration resulting in a \$68 million award in favor of the contractor client relating to the construction of a segment of the Seattle light rail system.
- Co-lead trial counsel in a three-and-a-half-month jury trial arising from the construction of a \$350 million crude oil processing plant.
- Lead counsel representing the city against \$16 million in claims arising out of the construction of an airport terminal.
- Lead counsel in the arbitration of \$6 million in claims arising out of the construction of Petco Park baseball stadium in San Diego. Client was awarded 95% of the claim, plus costs and attorneys' fees.
- Lead counsel in an arbitration representing a general contractor in a 22-day arbitration hearing relating to the construction of a commercial mall.
- Lead counsel defending a program manager against \$23 million in claims asserted by the school district relating to a \$600 million school construction bond program.
- Lead counsel defending a public entity against claims arising out of the construction of a \$33 million wastewater treatment plant expansion project.

## ***Environmental Litigation***

- Represented an electroplating company in a cost recovery action brought by the state of California relating to the cleanup of groundwater contaminated with heavy metals. The matter focused on the client's historical operations and waste management practices as well as alternative sources of the groundwater contamination. The case settled favorably for the client.
- Representing a large California-based construction materials manufacturer against claims that the client has violated the Clean Water Act and the Federal Water Pollution Control Act by allowing discharges of contaminated stormwater at seven separate facilities throughout the state. The case is pending in the Central District of California.
- Representing several clients in federal court in a CERCLA private cost recovery action brought by the current owner of former waste oil disposal facilities against several thousand potentially responsible parties that disposed of waste oil at those facilities.
- Represented several major oil companies in more than 30 leaking underground tank cases.
- Represented numerous PRPs in connection with the investigation and remediation of Superfund sites, in the defense of CERCLA and RCRA claims asserted by the government, and claims for contribution by fellow PRPs.
- Represented a REIT plaintiff in a three-week trial of soil and groundwater contamination claims arising out of the operation of tire/gas station facilities.

- Represented a landowner client in an eminent domain trial following the condemnation of property by Caltrans and a dispute over the cost of cleanup of the condemned property.
- Defended numerous plating companies against discharge permit violations and cost recovery actions.
- Defended several silicon chip manufacturing clients in cost recovery actions arising from discharges of metals, solvents, and degreasers.
- Represented a plaintiff who purchased property previously used to illegally store and discharge hazardous waste. The two-week jury trial culminated in a judgment in favor of the plaintiff on all claims, including a claim for fraud. Later obtained a bankruptcy court judgment holding that claims were non-dischargeable.

## **Publications & Presentations**

### **Publications**

- “Building Blocks,” *U.S. News-Best Lawyers “Best Law Firms,”* November 1, 2018.
- “Implied False Certification Liability Under the False Claims Act: How the Materiality Standard Offers Protection After *Escobar*,” *Construction Lawyer*, Vol. 38, No. 1, Winter 2018.
- “Trump’s Infrastructure Plan: Getting the Show on the Road,” *Law360*, April 7, 2017.
- “The Economic Loss Doctrine – And Design Professional’s Liability in California,” Hill International *Construction Advisory Report*, February 2015.
- “Can It Be True That the U.S. P3 Transportation Projects Are Gaining Momentum?” *Inside Counsel*, January 29, 2015.

### **Professional & Community Engagement**

- CMAA, Governmental Affairs Committee, National Capitol Chapter, co-chair (2012–2016)
- Listed by *Chambers USA: America’s Leading Lawyers for Business* for his construction litigation practice (2009–2023)
- Listed by Southern California *Super Lawyers* for his construction practice (2006–2017)
- Listed in *The Best Lawyers in America*® - Washington, DC since 2011
- Trinity Pawling School, Annual Fund Campaign chair, Capital Campaign co-chair, Board of Trustees secretary
- CMAA, Southern California Chapter, board (former)

### **Education**

- University of Virginia (J.D., 1981)
- University of California, Berkeley (B.A., 1977)

### **Admitted to Practice**

- District of Columbia
- California