

## John D. Hanover

Partner

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John Hanover leads the Construction & Government Contracts Group. John focuses his practice in construction, counseling clients in all roles of the building process for private and public works. His experience includes representing clients in high-dollar disputes in court, arbitrations, and mediations that involve matters ranging from contract disputes, schedule claims, unforeseen site conditions matters, and payment remedies to claims of defective work. John has been lead counsel in many jury and nonjury trials and in more than 350 arbitrations and mediations.

Before joining Alston & Bird, John managed the international construction law and litigation practice of a 100-lawyer construction law boutique, serving as managing partner of its three West Coast offices and a member of the firm's Executive Committee. He has also served as outside general counsel to an international engineering, project management, and construction services provider, managing its U.S. legacy litigation after its withdrawal from the U.S. market.

In 2020 John was named a "Client Service All-Star" by BTI Consulting Group, as well as one of the "Top Litigators & Trial Lawyers" in Los Angeles by the *Los Angeles Business Journal*. He is featured as one of the leading California lawyers for construction in *Chambers USA: America's Leading Lawyers for Business*, identified as a leading construction lawyer in *Who's Who Legal*, and is listed in *The Best Lawyers of America*® for Construction Law and Construction Litigation.

### **Representative Experience**

- Represented a multinational construction management firm in delay and scope change claims in the construction of a portion of the Westside extension of the Los Angeles Metro Rail.
- Represented a multinational construction management firm in claims for delay, defects, and nonpayment on a \$2 billion-plus mixed-use project in Downtown Los Angeles.
- Represented a multinational prime contractor in claims for delay, scope changes, and defective work in the replacement of an iconic bridge in Downtown Los Angeles.
- Defended a multinational design and engineering firm against claims related to the failure of a bulkhead wall that formed a new harbor in the Port of Los Angeles.
- Defended a multinational design and engineering firm against delay and inefficiency claims related to a defective design of a freeway interchange.
- Represented a multinational owner in the prosecution of counterclaims against a contractor for scope changes and delay damages related to construction of a pea isolate processing plant located in South Sioux City, NE.
- Represented a multinational design and engineering contractor in a dispute over the delay of completion of two border patrol and police headquarters buildings in Nimruz Province, Afghanistan.

- Defended a construction management firm against claims for delays, equitable adjustment, and disgorgement related to license violations in the design-build of the San Francisco County Jail No. 3.
- Defended a multinational construction management firm against an action by a subcontractor relating to curtain wall construction on a multistory parking garage.
- Represented a construction management firm in the prosecution of claims for reimbursement for defense costs of asbestosis/mesothelioma claims related to jobsites in several states during the past 60 years.
- Defended a developer in an action brought by an HOA for construction defects in a 161-unit condominium complex.
- Represented a religious institution in its prosecution of claims to recover for delay, loss of use, and defective construction for a West Los Angeles sanctuary/school.
- Represented the owner-developer in an action for defects and loss of use related to construction of a Florida retirement community.
- Defended the owner of a single-family estate property against an action and prosecution of a cross-action against a contractor for delay, loss of use, and defective construction.
- Represented a multinational general contractor in an action against a design firm for negligent design in the design and construction of a retirement home/senior care facility.
- Prosecuted claims on behalf of a developer/bank owner for delay, loss of use, and defective construction of a hotel development in Shell Beach, CA.
- Represented a subcontractor that built the canals at the Venetian Casino in Las Vegas in an action to recover payment for work performed.
- Represented a general contractor in an action for recovery on a mechanic's lien for a resort project on the Nevada-California border.
- Defended a multinational general contractor against claims of delay, loss of use, and defective construction for the construction of the Simi Valley Hospital.
- Represented a developer in an action against a contractor and subcontractors involving mold and fungus growth from a defective exterior insulation and finishing system (EIFS) in a multihundred-unit apartment complex.
- Represented the owners of a Sun Valley, ID, private residential compound for claims of defective design and construction of four private residences on site.
- Defended a general contractor from claims for delay, loss of use, and defective construction for the replacement of the basketball floor of the Haas Pavilion at UC Berkeley.
- Defended a general contractor from claims of defective construction related to the construction of the ARTS building at UC Riverside.
- Defended a general contractor from claims of delay and loss of use relating to the construction of a dormitory at UC San Diego.
- Represented an engineering firm in an action brought by the Los Angeles Department of Water and Power alleging negligence against the designer and contractor of a water treatment plant in Los Angeles.

## ***Publications & Presentations***

### ***Publications***

- “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.

## ***Presentations***

- “Contract Negotiations and Terms,” Ninth Annual California Construction Law Conference, Santa Monica, CA, March 8, 2023.
- “Construction and Design COVID-19 Roundtable,” Los Angeles County Bar Association, Construction Subsection, webinar, April 28, 2020., April 28, 2020.
- “Murphy’s Law Strikes, Now What? Insurance Coverage in California for Construction Claims,” California Lawyers Association Real Property Law Section and the Los Angeles County Bar Association Construction Law Subsection, Los Angeles, CA, September 5, 2018.
- “Dispute Resolution During and After Project Completion,” 4th Annual California Construction Law, Santa Monica, CA, March 14 - 15, 2018.

## ***Professional & Community Engagement***

- American Bar Association, Forum on Construction Law and Litigation Section
- L.A. County Bar Association, Construction Law Subsection of Real Property Section, chair
- Jewish Federation of Greater Los Angeles, Legal Division, chair (2006–2007)
- Wexner Heritage Program (2003–2005)
- Los Angeles Hillel Council, president (2002–2004)

## ***Education***

- Vanderbilt University (J.D., 1986)
- Tufts University (B.A., 1983)

## ***Admitted to Practice***

- California
- Colorado
- Nevada
- Tennessee

## ***Related Services***

Construction | Commercial | Real Estate Litigation | Infrastructure & Public-Private Partnerships | Government Contracts | A/E/C Industry Investigations and Enforcement Team | Commercial Construction | Energy & EPC Matters