

## Michael J. Mazzone Authors Chapter in 2019 Texas Business Litigation Book

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May 16, 2019 Michael Mazzone

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PRACTICES Litigation

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Haynes Boone Partner [Michael J. Mazzone](#) has authored a chapter titled “Construction Litigation” in the recently published 2019 edition of Texas Business Litigation.

Published by ALM’s *Texas Lawyer*, the book serves as a comprehensive handbook for litigators and transactional attorneys practicing law in the state of Texas.

Here is an excerpt of his chapter:

Builders are enterprising and optimistic. They fearlessly spend up to billions of dollars to construct homes, buildings, plants, highways, pipelines, and bridges. It is a testament to their competence that most construction projects succeed despite daunting challenges. But, some projects fail, sometimes spectacularly so: witness the March 2018 collapse of a barely-completed bridge in Florida. On occasion, the failure takes place years, even decades, after substantial completion, as happened in August 2018 with the collapse of the old Morandi Bridge in Genoa, Italy. Could the builder be sued for failures so long after substantial completion?

Failed construction projects give rise to a surprising spectrum of possible claims. Sometimes, the “as-built” does not comply with the plans. For example, a contractor might have sunk 12-foot piles to save money when the plans called for 15-foot piles. Other times, disputes arise when the “as-built” matches the plans but the latter are flawed. For example, a bridge might collapse because it was erroneously designed. Still other times, the plans and the construction are adequate, but the materials used are defective, or the project is late or over budget. Or, everything about the project was right until a hurricane struck and flooded the unfinished building. The nature of the claims that litigators encounter in construction disputes is almost limitless. With the exception of a series of nearly identical lawsuits that arose because of a defective roof construction material, each construction dispute I have litigated has been unique.

To view more information about the publication or to order a copy, click [here](#).

Mazzone, co-chair of the Litigation Practice Group, is an accomplished trial lawyer who has tried jury cases in Texas, Louisiana and New Mexico, and has handled cases pending in courts in North Dakota, Mississippi and Montana. He represents office building owners and medical office building owners, industrial tenants, developers and landlords, landowners and homebuilders, lenders and brokers, and energy companies in a wide range of construction litigation/arbitration and real estate disputes. Michael also represents energy companies in environmental contamination, indemnity and toxic tort cases.

Haynes Boone is an international corporate law firm with offices in Texas, New York, California, Charlotte, Chicago, Denver, Washington, D.C., London, Mexico City and Shanghai, providing a full spectrum of legal services in energy, technology, financial services and private equity. With more

than 575 lawyers, Haynes Boone is ranked among the largest U.S.-based firms by *The National Law Journal*, *The American Lawyer* and *The Lawyer*.