



Val McWhorter

Senior Counsel
Northern Virginia

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PRACTICES Litigation, Government Contracts, Construction, Construction Litigation, Construction Claims, Construction Dispute Resolution, Construction Contract Drafting and Negotiation, Schedule Delay, Disruption, Inefficiency & Acceleration, Surety, Alternative Dispute Resolution, Federal Assistance: Grants and Cooperative Agreements, Nuclear Energy

Val McWhorter has focused his practice on major construction contracts and contract cost recovery spanning more than 51 years. His experience encompasses involvement in a wide range of projects on a national scale including concrete and earthen dam construction, flood control, transit systems, highways and bridges, nuclear and hydroelectric powerplants, navigational locks, tunnel construction and tunnel failure.

Based on the nature of these projects, Val is involved largely with public procurements, including federal, state and local governments, transit and water authorities. His career has been hallmarked by the resolution of large complex claims through mediation, negotiation and, if necessary, litigation before various Federal and State courts and boards. His experience and success in resolving construction contract disputes earned him nomination by ENR as Construction Man of the Year in 1991.

Val has been a frequent speaker and publisher on construction issues. His contribution to the construction and engineering industry has been recognized by his membership in the widely recognized and selective industry associations, The Beavers and The Moles. Val's peer recognition as a leader in the construction practice has been demonstrated through induction into the prestigious American College of Construction Lawyers (ACCL), and his long-standing inclusion in *Chambers USA: America's Leading Lawyers for Business*, *Chambers and Partners*, among Senior Statespeople in Construction and Mediation in Virginia, *Best Lawyers in America*, Woodward/White, Inc., *Super Lawyers*, Thomson Reuters, Litigation Counsel of America and *Who's Who Legal* in the area of construction. He is highly regarded for his track record in mediation. Val has been recognized as 2020 Mediation "Lawyer of the Year" by *Best Lawyers*, Woodward/White, Inc., in Washington, D.C.

Val serves on several industry and civic Boards including The Beavers, currently as an Honorary Board Member and previously as a Board Member from 2015-2017; The Moles Executive Committee from 2007-2011; ACCL Board of Governors from 2011-2012; the Virginia Port Authority since 2014, currently on its Executive Committee beginning 2019, and various Governor-appointed boards relating to higher education. Over his legal career, he has been chosen by six different governors of Virginia to serve in leadership positions. Val served in the administration of President Jimmy Carter as General Counsel of the Renegotiation Board and Assistant to the General Counsel of the Navy and Navy legal member of the Defense Acquisition Regulatory Council.

QUALIFICATIONS

EDUCATION

- J.D., Washington and Lee University School of Law, 1969
- B.A., Washington and Lee University, 1966

ADMISSIONS

- Virginia
- District of Columbia

COURT ADMISSIONS

- U.S. Court of Appeals for the District of Columbia Circuit
 - United States Supreme Court
 - U.S. Court of Appeals for the Federal Circuit
 - U.S. District Court for the Eastern District of Virginia
 - U.S. Court of Federal Claims
 - U.S. District Court for the District of Columbia
 - Supreme Court of Virginia
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PUBLICATIONS AND SPEAKING ENGAGEMENTS

- “Differing Site Conditions, ABA Forum on Construction Industry: Construction Law,” co-author, American Bar Association, *Allensworth, et al.* ed., 2009, updated 2019.
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PROFESSIONAL AFFILIATIONS AND ENGAGEMENTS

- American College of Construction Lawyers, 2004-present, Board of Governors, 2011-2012
- The Moles, Executive Committee, 2007-2011, Member, 1991-present
- The Beavers, 2009-present, Board of Directors, 2015-2017, Honorary Board Member, 2017-present
- American Arbitration Association, Panel of Arbitrators
- American Bar Association, Public Contract Law Section; Dispute Resolution Section; and Forum on the Construction Industry
- Construction Lawyers Society of America, Charter Fellow
- American Society of Civil Engineers, Associate
- Appointed by Governor McAuliff to serve as a Commissioner on the Virginia Port Authority, 2014; reappointed in 2017; Chair, Growth and Operations Committee, Executive Committee, 2019-present
- Appointed to the Washington & Lee Law School Law Council, 2014-present
- George Mason University, Arts at Mason, Board Member 2004-present
- Virginia Commission on Higher Education Board Appointments, Member, 2006-2010
- Commission on Higher Education in Virginia, Appointed Member, 1995-1996
- Virginia State Council of Higher Education, past Chairman, Member, 1990-1997
- George Mason University, Board of Visitors, Vice Rector, Member, 1982-1990

AWARDS AND RECOGNITIONS

- *Global 100*, Construction Lawyer of the Year - USA, 2023
- *Chambers USA*: America's Leading Lawyers for Business, Chambers and Partners, Construction: Mediation – Virginia, Band 1, 2022-2025
- *Chambers USA*: America's Leading Lawyers for Business, Chambers and Partners, Construction – Virginia, Senior Statesperson, 2004-2019
- Litigation Counsel of America, Senior Fellow
- *The Best Lawyers in America*, Woodward/White, Inc., recognized in Arbitration, Construction Law and Mediation, 2005-2025
- Recognized by *Lexology Index* (formerly Who's Who Legal) as a Thought Leader, USA, 2025
- *The Best Lawyers in America*, 2020 Mediation "Lawyer of the Year," Woodward/White, Inc., Washington, D.C.
- *Virginia Super Lawyers*, Thomson Reuters, Construction, 2006-2023
- *Washington D.C. Super Lawyers*, Thomson Reuters, Construction, 2006-2022
- *Who's Who Legal* in Construction, 2006-2023; *Who's Who Legal*, Thought Leader in Construction, 2020-2023
- Martindale-Hubbell AV-Preeminent®, 2016-2020, Top Rated Lawyer in Construction Law, Martindale-Hubbell, 2023
- Construction Man of the Year, Nominee, *Engineering News Record*, 1991