

Kaveh Badiei
RALLS GRUBER & NIECE LLP
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Kaveh Badiei is an experienced construction attorney with a background in both civil engineering and construction management. He is well versed in all aspects of construction litigation, arbitration, and mediation as well as contract drafting, review and negotiation, bonds, mechanic's liens, false claims, defective construction, and insurance coverage. He has substantial experience advising owners, developers, general contractors and subcontractors on public and private construction projects involving commercial buildings, schools, hospitals, hotels, theaters, wind-energy facilities, nuclear and research laboratories, transportation centers, fiber-optic lines, pipelines, waste-water treatment plants, and high-end homes. His practice also includes advising owners and contractors in public-private partnership projects. Prior to joining Ralls Gruber & Niece LLP, Kaveh worked at Rutan & Tucker LLP for ten years, and at Thelen LLP for six years. Kaveh was recognized by Northern California Super Lawyers as a "Rising Star" in 2011, 2012, 2013, 2014 and 2015.

REPRESENTATIVE RECENT MATTERS

- Draft, review and negotiate numerous general contracts, EPC agreements, subcontracts, joint-venture agreements, and design-build contracts for infrastructure, commercial or residential projects.
- Trial counsel for the owner of a historic building in an action involving property damage caused by the construction of the neighboring high-rise building; the jury returned a multi-million dollar verdict in favor of a historic-building owner.
- Trial counsel for a subcontractor in a California False Claims Act action, which resulted in a 12-0 jury verdict in favor of the subcontractor and recovery all of the subcontractor's attorneys' fees.
- Trial counsel for a property owner in a multi-week bench trial of a real estate dispute involving conveyance, easement, and partition issues.
- Arbitrated a general contractor's claim against the owner on a dispute involving the construction of a solar energy facility.
- Represented the owner in a multi-million dollar claim by the general contractor on the installation of nearly 1,900 miles of underground fiber optics lines.
- Favorably resolved a subcontractor's pass-through claims for delay, disruption and cost overruns against a general contractor and Department of Energy/National Nuclear Security Administration.
- Obtained judgment in favor of a general contractor, and against a subcontractor, based on subcontractor's failure to comply with Contractors' State License Law. The judgment also

included recovery of the client's attorney's fees and costs.

- Defended, and favorably resolved, a commercial lease dispute involving a landmark building in Palo Alto.
- Defended a construction lender in a mechanic's lien action brought by over twenty lien claimants, involving over \$10 million in lien claims.
- Prosecuted a general contractor's claim for improper termination, delay and disruption against a public entity in a project involving underground water pipe installation.
- Represented a developer in a defective-construction claim brought by over 1,000 homeowners.

EDUCATION

University of California, Hastings College of the Law
Juris Doctor, 2001

University of California, Irvine
Bachelor of Science, Civil Engineering, 1997

PUBLICATIONS

- Update Author, California Construction Contracts, Defects, and Litigation, November 2014, 2015, 2016 and 2017 updates (CEB Publications), for chapters entitled "*Design-Build*" and "*Handling Disputes During Construction.*"
- Co-Author, *Public-Private Partnerships: A New Tool For California's Infrastructure Needs*, California Real Property Journal, Volume 31, Number 1 (May 2013).
- Co-Author, *The Need For P3 - Public Private Partnerships Can Help Bridge America's Infrastructure Gap*, DBIA Newsletter, Spring 2013.
- Author, *Geothermal Energy: Is It Attractive Enough to Draw Investors for Construction of Geothermal Electric Plants*, 7 Hastings W.-NW. J. Envtl. L. & Pol'y 109 (2001).

MEMBERSHIPS

- Member: Design-Build Institute of America (Planning Committee member)
- Member: ABA Forum on Construction Industry / Steering Committee Member for Division 4 (Project Delivery Systems)
- Past President: Northern California Chapter of the Iranian-American Bar Association
- Appointed Member: General Plan Advisory Committee for the City of San Carlos (2008-2009)