

# OUR PRACTICE

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## Site Selection, Expansion of Facilities and Economic Incentives

### Real Estate

We understand that land and real estate are some of the most important assets for manufacturers, and Baker Donelson's Real Estate and Finance Group consists of more than 45 lawyers who can provide sophisticated legal counsel to manufacturers, both foreign owned and U.S. owned, in a wide spectrum of real estate transactions, including developments, single asset and portfolio sales and acquisitions, leasing and financing. Our clients include large and small industry participants that develop and finance a variety of real estate projects, including office, industrial, hospitality, mixed-use developments, urban renewal projects and natural resources. Our footprint across the south central region of the United States allows our attorneys to assist clients with local familiarity, speed, efficiency and superior service in both large and complex real estate transactions.

### Construction

Our attorneys have a deep understanding of the intricacies of the construction industry. Several members of our practice have engineering backgrounds in aerospace, chemical, industrial, petroleum and business management while others have backgrounds designing and drafting HVAC, plumbing and mechanical and electrical systems. We also count among our members some of the only attorneys in our geographic region to have achieved Leadership in Energy and Environmental Design (LEED) AP status. We believe that this broad range of related expertise gives us a unique perspective on how best to assist our clients.

We serve a wide spectrum of manufacturing clients including health care facilities, commercial buildings, military facilities, airports, prisons and retail stores. Our manufacturing clients count on us to employ a creative, proactive and business-minded approach to assist them in all phases of their projects, from initial concept to completion. In assisting our manufacturing clients with their construction projects, our attorneys work with the owners and decision-makers involved in the construction business, including developers, contractors, subcontractors, suppliers, equipment lessors, design professionals, sureties, insurers and consulting and management firms.

In addition to handling construction matters in both domestic and international venues, our attorneys have handled construction disputes at all levels of trial and appellate litigation, as well as through mediation, arbitration and other ADR techniques structured to efficiently resolve disputes for our clients.

Not only are we well versed in the intricate aspects of construction law, our attorneys and Firm have earned a national reputation for excellence. Members of the Group are Fellows in the prestigious American College of Construction Lawyers, have been listed in *The Best Lawyers in America*<sup>®</sup> every year since 2003, have been selected for and serve on the American Arbitration Association's National Panel of Construction Arbitrators for Large and Complex Cases, and several are registered design professionals. In addition, the Firm was ranked in the top five for Construction Law by *The Best Lawyers in America* 2011. We believe this positive recognition is a testament to the meaningful ways in which we serve our clients' needs.

### Contract Negotiation and Project Representation

A well-drafted contract is often the best defense against litigation. Baker Donelson's construction attorneys have more than 100 years' combined experience handling construction and development projects from idea inception through project completion. We call upon this experience in negotiation, working to craft a contract or agreement that reflects the needs and concerns of each particular client. As part of our comprehensive approach to client service, our construction attorneys work with other practice groups to develop tax and financing savings for our clients. This approach not only ensures that they receive the most cohesive contract, it also makes certain that our manufacturing clients receive a contract that takes all their business objectives into account.

Our construction attorneys analyze and advise our manufacturing clients on issues such as insurance requirements, indemnity provisions, liquidated damages, performance and schedule guarantees, and issues surrounding LEED projects. We also negotiate rights related to unforeseen conditions, defective or non-conforming work, time extensions, progress and final payments, warranty and lien claims, additional compensation and project closeout.

Learn more about our [Real Estate](#) and [Construction](#) Practices.