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Practice Areas

Architects & Engineer Liability

Construction Law

Private Dispute Resolution

Tribal Art Law

Education

- Salmon P. Chase College of Law (J.D., 1977)
- University of Cincinnati (MBA, 1973)
- University of Cincinnati (BBA, 1970)

Overview

Len's practice focuses on construction litigation, with an emphasis on architect and engineer liability and construction project disputes. He has extensive trial experience in the representation of architects and engineers, owners, and contractors in defect claims, drafting and negotiating construction contracts, contractual disputes, and insurance coverage.

Experience

- Successful defense and settlement of \$40,000,000 delay and interference claim for large municipality
- Successful defense of large engineering firm in alleged failure of a multimillion-dollar sewage treatment system
- Successful defense of large engineering and architectural firm in delay claims related to design and construction of multi million-dollar football stadium renovation
- Successful defense of mechanical engineering firm in a multi million dollar malpractice claim related to large office building systems failure
- Successful defense of large engineering firm related to malpractice claims for multiple site developments
- Successful defense of several engineering firms related to surface water runoff claims allegedly caused by negligent design
- Representation of large municipality regarding multiple multi million-dollar delay claims in large, complex highway construction project
- Representation of large municipality related to bid protest and program challenges for large convention center project
- Successful representation and settlement of delay and extras claims related to construction at large, regional airport
- Construction arbitrator - private & American Arbitration Association - Construction Panel
- Private mediation

Honors/Distinctions

- For over 20 years in a row received AV peer rating by Martindale-Hubbell - a reflection of having achieved the highest level of professional skill and integrity a lawyer can earn
- Selected and listed as one of Ohio's Super Lawyers (2005-2009)

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- Selected and listed as one of Cincy Business Magazine's Leading Lawyers (2006-2010)
- Avvo.com Superb Rating of 9.6/10
- Selected as a Member of the Council on Litigation Management (CLM)

Admissions

- State of Ohio
- Commonwealth of Kentucky
- U.S. District Court, Southern District of Ohio
- U.S. District Court, Northern District of Ohio
- U.S. District Court, Eastern District of Kentucky
- U.S. Court of Appeals for the Sixth Circuit
- U.S. Supreme Court

Professional Affiliations

- Kentucky Bar Association (Construction and Public Contract Committee Law, Chair 2011-2013)
- Cincinnati Bar Association (First District Court of Appeals Committee, Housing and Construction Law Committee)
- Ohio State Bar Association (Litigation Section)
- Northern Kentucky Bar Association (Construction Law Committee)
- American Bar Association (Forum Committee on Construction Industry Litigation Section; Construction Law Committee; Architect and Engineer Liability Subcommittee)
- Federal Bar Association (Federal Litigation Section)
- Ohio State Bar Foundation Fellow
- American Arbitration Association (Construction Panel and Arbitrator for Cincinnati Construction Advisory Committee)
- Ohio Association of Civil Trial Attorneys
- Defense Research Institute (Past Chair, Construction Law Committee and Past Board of Directors)
- Hamilton County Common Pleas Court Arbitrator
- Clermont County Common Pleas Court Arbitrator
- Salmon P. Chase American Inns of Court

Community Involvement

- Tall Stacks 1992-2006, Executive Committee
- Tall Stacks 1999-2001, Chair/President
- Tall Stacks 1995, Chair & General Counsel
- Tall Stacks 1992, General Counsel, Chair of Law Committee and Commissioner
- Mariemont Board of Education: 1987-1995 (President 1990-1994)
- Mariemont Preservation Foundation: Trustee/Past President and General Counsel
- Trustee of William & Mary Jane Helms Charitable Trust

Presentations

- "Battle of the Titans – Builders/Contractors v. Insurance Companies: Coverage Issues Related to Defective Subcontractor Work," Kentucky Bar Association Convention (June, 2009)
- How to Successfully Prosecute and Defend Construction Claims -- 5-Cities Plus Conference, Cincinnati, OH (2005)
- Economic Loss Doctrine -- 10th Biennial Midwest/MidSouth Construction Institute, Lexington, KY (2005)
- Cutting Edge Theories and Strategies that Work in the Defense of The Design Professional -- 45th DRI Construction Law Seminar, Las Vegas, NV (2005)
- "Preparing to Defend a Construction Delay Claim," DRI Construction Law Seminar, San Antonio, TX (1998)
- "Ohio Law Pertaining to Discovery Arbitration," AAA Cincinnati Construction Advisory Committee, Local Construction Arbitrator Workshop, Cincinnati, OH (1998)
- "Case Study Update Regarding Developing Ohio Law on Landscape Professionals," Ohio Chapter International Society of Arboriculture (1997)
- "Roles & Legal Implications of the Professional Arborist," Ohio Chapter International Society of Arboriculture, Case Study (1997)
- "Claims Against Design Professionals," UK/KBA 6th Biennial Midwest/MidSouth Construction Law Institute, Lexington, KY (1996)
- DRI Construction Law Seminar, Chair and Moderator,

San Diego, CA (1996)

- “Current Developments in Architect and Engineer Claims,” LPA Annual Meeting, Columbia, SC (1995)
- “Construction Defect Litigation,” OACTA Spring Meeting, Columbus, OH (1995)
- “Damages in Commercial Economic Loss Doctrine. Where Does Ohio Stand,” Lorman Education Services, Cincinnati, OH (1993)
- “Risk Related Clauses, Tort Liability and Other Legal Issues on Contracts,” Construction Owners Association of the Tri-State, Inc., Ohio Contractors, Covington, KY (1993)
- “Tort Reform Imposed Limitation on Joint and Several Liability,” 26th Annual Meeting of Invited Attorneys, Montreal, Canada (1987)

Publications

- DRI Construction Litigation Desk Reference - Ohio Section (January 2010)