



# Dave Rudy, Esq.

Mediator | Special Master | Arbitrator

## Representative Cases

### CONSTRUCTION DEFECT

Commercial building construction defects, multiple subcontractors and suppliers;

Six-party single-family home—defects alleged in renovation of multi-million dollar San Francisco home;

Subjacent lateral support and real estate claims involving two commercial properties in San Francisco, both owned by charitable organizations – key aspect was to do no harm to existing good neighbor relationship while seeking solutions to complex issues;

Breach of contract between general and sub on large hospital renovation;

Single family home construction defect, personal injury, real estate fraud case included action against major home builder, seller, subcontractor, realtors; allegations of mold where buyer notified seller prior to purchase of severe mold allergy;

Alleged damage to historically designated commercial building during preparation for repair and repainting of exterior; significant issues as to damages, insurance coverage;

Underlying judgments in excess of \$30M in favor of multiple HOA's against insured with respect to condo conversions; 11580 and bad faith actions against carrier for wrongful attempts to rescind, failure to defend underlying cases and against broker for errors and omissions in procurement of insurance;

Multiple actions against City, design professionals, manufacturer for alleged malfunction/misuse of reservoir control system causing flooding of residential neighborhood, significant property damage, emergency evacuations for public safety, etc.;

Dispute between two cities and condominium association regarding cause of flooding, municipal liability, disputes over proposed repairs, design and construction issues, resolved through negotiated repair plan with shared costs and responsibilities;

Commercial building owner sues commercial painter for extensive property damage caused by improper elastomeric paint application, major insurance coverage issues;

Property damage subrogation case alleging collapse of property and related damage from improper construction;

Breach of contract between mechanical subcontractor and sheet metal sub-sub contractor on large expansion project at regional hospital;

13-party motorcycle wrongful death action against Caltrans, construction designers, general and subcontractors, engineers, signage contractor/supplier, two drivers, coverage issues involving permissive user and loaned auto provisions;

8-party action to fund settlement of 4M+ judgment following construction defect trial; major insurance coverage disputes including additional insured, non-defending carriers, etc.;

16M multi-family claim against developer in condominium conversion case;

12M multi-family claim against developer in condominium conversion case;

Owner sues builder and designer for alleged defects in agricultural curing and storage facility;

Single-family home new construction with multiple asserted defects, breach of warranty, breach of contract, negligence, strict liability claims;

General contractor settles claim with owner, then proceeds against multiple subs for reimbursement – construction defect plus coverage issues;

Developer proactively settles multi-family case, alleges that because of his extraordinary work in settlement his carrier paid a very small amount, now sues his carrier for bad faith refusal to reimburse him for his time, expenses, legal fees in obtaining the settlement;

Design professionals seek unpaid fees, counterclaim for design defects;

10M multi-family case by HOA against homebuilder, general contractor, 14 subcontractors;

2M HOA claim against developer for common wall failure;

Actions by public school district against builder, subcontractors, design professionals alleges mold resulted from improper design and construction of block wall;

Action by owner against architect, contractor for alleged design defects in roof of commercial building at ski area;

Action by State Highway authority against lighting supplier for off-ramp intersection lighting defects;