



**ERNEST C. BROWN, Esq., P.E.**

**National Roster of Arbitrators and Mediators  
American Arbitration Association  
1 800 832-6946**

**Mr. Ernest Brown** has over twenty-five years of dispute resolution experience in civil, industrial, petrochemical projects. He has litigated all types of construction industry claims. He earned his B.S. in Civil Engineering from the Massachusetts Institute of Technology and his M.S. in Construction Management from the University of California at Berkeley. While working as a Civil Engineer, he earned his J.D. degree from Berkeley's Boalt Hall School of Law.

Mr. Brown has, among other positions, served as Chief Executive Officer of the Ernest Brown & Company (1989-Present), Managing Partner of the Construction Group of Stradling, Yocca, Carlson & Rauth (1986-1989), Corporate Counsel with the Fluor Daniel Corporation (1981-1984), and as a litigation attorney at Bronson, Bronson & McKinnon (1978-1981).

**Representative Experience**

Lead trial counsel on many significant cases, including the Central Arizona Water Project (CAP), a \$146 million Federal Court Pre-Stressed Concrete Pipe Claim; the John Wayne Airport, a \$70 Million Claim (Settled for less than Retention), the San Francisco Municipal Pipeline, a \$42 million pipeline explosion case; and the Mohave Power Plant Explosion, a \$250 million claim.

**Mediation Experience**

In the past twenty years, Mr. Brown has acted as a construction neutral performing more than 250 mediations and arbitrations involving major construction projects.

Examples of these mediations include Solano Beach v. [General Contractor], in which he mediated a \$1.6 million dispute in 1 day; a dispute entitled Alaska Air National Guard v [General Contractor], in which he mediated a \$1.8 million dispute in Alaska in 2 days; Sukut v. City of Santa Clarita, a \$2.3 Million claim mediated in one day and Chromolloy Corporation v [Construction Team], in which he mediated a \$1.4 million Nevada roof collapse dispute in 2 days.

He has completed basic and advanced AAA Construction Arbitration Training and has been a member of the National Panel of Arbitrators since 1983. He is active as a seminar leader for training programs for AAA Construction Arbitrators.

Mr. Brown's recent assignments as a Construction Arbitrator include Sierra Pacific vs. Foster Wheeler, in which he served as Chairman of the A.A.A. panel in Nevada for this \$2 million claim; [Developer] v. [General Contractor] in which he served as a panel member for the \$2 million dollar claim; Washoe County School District v. [General Contractor] in which he served as the sole arbitrator for this \$5 million dollar claim; PCL v. San Diego Water Authority where he served as a panel member, Murray v. DPR in which he was a panel member of a three member Arbitration Panel on a major earthwork and utilities claim and (Undisclosed Developer v. Contractor) a \$18 Million design and construction claim including substantial consequential damages for late project completion.

Mr. Brown has also served as a Member of the Panel for Judicial Arbitrators for Civil Cases for the San Francisco Superior Court, as Arbitrator for the State of California Office of Administrative Hearings, and Hearing Officer for the State Contractor License Board Arbitration Program.

### **Speaking and Writing**

Mr. Brown is the author of 85 construction law articles and five books, including California Public Works: Managing Contracts and Resolving Disputes. He has contributed chapters to, among other publications, the Aspen Publication "Construction Law Handbook" and the Lorman Coursebook, "Architecture and Engineer Liability: Claims Against Design Professionals." Selected further articles by Mr. Brown include:

"The Construction Mediation Checklist," California League of Cities – 2002

"The Art of Construction Mediation," 2003.

"Underground Construction: Avoiding Accidents and Disputes," AGC of California, 1999

"Understanding Policy Reduces Aftershocks," Orange County Business Journal – Special Report on Insurance, March 1994

"Expanded Contractor Liability Under CERCLA," Associated General Contractors of California, Inc., 1992

## **Seminars**

Mr. Brown has also conducted numerous professional seminars, including the following:

California Construction Claims, Lorman Educational Services, Oakland, CA, November 2002 & 2003.

Architect/Engineer Malpractice, Lorman Educational Services, San Francisco, March 2002 & 2003.

Public Works Construction, Lorman Educational Services, Santa Monica, CA, July 200 & 2003.

Public Works Construction, Lorman Educational Services, Santa Monica, CA, August 2001 & 2002.

## **Bar and Association Memberships**

Mr. Brown is a member of the California Bar Association, the American Bar Association Forum Committee for the Construction Industry, the ADR and Mediation Sections of the Bar Association of San Francisco, the National Society for Professional Engineers, and is a former Chairman of the Legal Advisory Committee of the Associated General Contractors of California.