

## Kevin H. Hudson - Partner

Mr. Hudson is considered a Top Construction Lawyer and a Top 100 Trial Lawyer in Civil Cases. These honors are based on his national success on behalf of clients in hundreds of state and federal jury trial, arbitrations and administrative hearings. Mr. Hudson focuses on the construction industry, the defense of officers, directors and other professional (including banking professionals), and counseling shareholders, partners, and business owners in disputes involving corporate management and control. Mr. Hudson's wide breadth of knowledge and experience covers complex commercial litigation, risk management, business torts, contract disputes, insurance issues and general business law.

Mr. Hudson provides operations counsel and dispute support for many top ENR construction firms in the Southeast. As both a legal counselor and an advocate, Mr. Hudson advises general contractors and other construction industry participants on legal issues ranging from day to day operations, to drafting AIA construction contracts, to litigation and arbitration.



In the representation of officers, directors and professionals, Mr. Hudson routinely represents banks, bank officers and bank directors in a variety of claims including lender liability, breach of duty, negligence and breach of contract. Mr. Hudson has extensive experience representing officers and directors of failed banks in claims brought by the FDIC. Mr. Hudson's legal experience extends to a variety of other areas including general business disputes, disputes involving corporate management and control, claims for breach of contract and negligence, personal injury and wrongful death, real estate disputes, and shareholder disputes.

Mr. Hudson is a seasoned first-chair trial attorney who consistently gets good results for clients in complex, high dollar business disputes.

**Professional Involvement:** Mr. Hudson is a member of the Atlanta Bar Association Construction Law Section, the American Bar Association, the Construction Lawyers Society of America, the Defense Research Institute Construction Committee, the Claims and Litigation Management Alliance, the Lamar Inn of Court, and the Lawyers Club of Atlanta.

## Recognition

Premier 100 Designation – American Academy of Trial Attorneys  
Super Lawyers 2008-Present  
Top 100 Civil Trial Lawyers – The National Trial Lawyer  
Top Rated Lawyer in Construction – The American Lawyer  
The American Trial Lawyers Association – Top 100 Trial Lawyers: Georgia  
Georgia Trend Legal Elite 2012

## Case History

### Construction

Code violations; contract negotiations and disputes (expertise in all provisions of AIA contracts); defective construction claims (electrical, energy systems, grading elevation busts, high-rise pool decks and pool liners, HVAC, lien foreclosure actions, liens filed by subcontractors, mold, modular walls, structural, toxic fumes, and a wide variety of defective product matters imported from China), delay claims, design claims, lien foreclosure and surety claims, environmental, fraud claims; pay when paid defense, insurance coverage scope and denial, prompt pay act claims, termination for cause and for convenience claims and warranty claims.

- Lead counsel in obtaining a successful resolution of jury case involving an energy system that allegedly failed to produce sufficient energy to run an oriented strand board (“OSB”) plan and independently produce electricity such that plaintiff claimed damages in excess of \$25,000,000.00. The Based on the defense that Plaintiff failed to provide proper and consistent fuel to the OSB energy system, the jury returned a verdict for less than one third of what the Plaintiff claimed in damages, found no negligent construction and denied an award of attorney’s fees.
- Lead counsel in obtaining summary judgment against a lien claim filed by a general contractor against a landlord for work ordered by a tenant. Case examined significant nuances in Georgia lien law as applied to a landlord/tenant context.
- Lead counsel representing general contractor in jury trial to enforce a contract and settlement. Obtained a verdict in client’s favor in an amount of \$1,059,511.85.
- Lead counsel in *Elite Flooring v. Choate Construction*, Georgia Court of Appeals June 11, 2009 (affirmed General Contractor Subcontract provision regarding condition precedent to resolving claims).
- Lead counsel for general contractor in successfully resolving case involving leaks in exterior brick sheathing and related mold claims.
- Lead counsel in resolving favorably a case alleging damages in excess of \$20,000,000 associated with competing specialty contractors and allegations of theft of computer information, violations of computer fraud abuse act and violations of Georgia’s trade secrets protections.
- Lead counsel for general contractor in successfully resolving case involving mold in nursing home facility and a determination of the cause (ultimately attributed to outside sprinkler system and location of HVAC window units)
- Lead counsel for general contractor in successfully resolving multiple cases involving defective exterior sheathing product and propensity to grow mold (included claims raised before and after installation of product and related delays and increased construction costs)

## Case History - Continued

### Employment

- Defending discrimination matters based on race, sex and the American's with Disabilities Act, covenants not to compete, confidentiality covenants, and theft of intellectual property - computer theft statutes and theft of trade secrets.

### Education

- Emory University, B.A.
- Emory University, J.D., With Honors
  - Managing Editor – Emory Law Journal
  - Best Speaker – Philip Jessup International Moot Court Competition

### Bar and Court

- Georgia State Bar
- Georgia Supreme Court
- Georgia Court of Appeals
- United States Supreme Court
- Eleventh Circuit Court of Appeals
- Seventh Circuit Court of Appeals
- United States District Court Northern District of Georgia
- United States District Court Southern District of Georgia
- United States District Court Middle District of Georgia
- Tennessee State Bar

### Contact

Email: KHudson@HPWlegal.com

Office: (404) 554-8183

Paralegal: Fay C. Slaveikis

Paralegal Email: fslaveikis@hpwlegal.com

Paralegal Office: 404-554-8182

Paralegal: Erin Searles

Paralegal Email: esearles@hpwlegal.com

Paralegal Office: 404-554-8193

### Industry Recognition

