

Benjamin P. Deninger

Associate | Atlanta

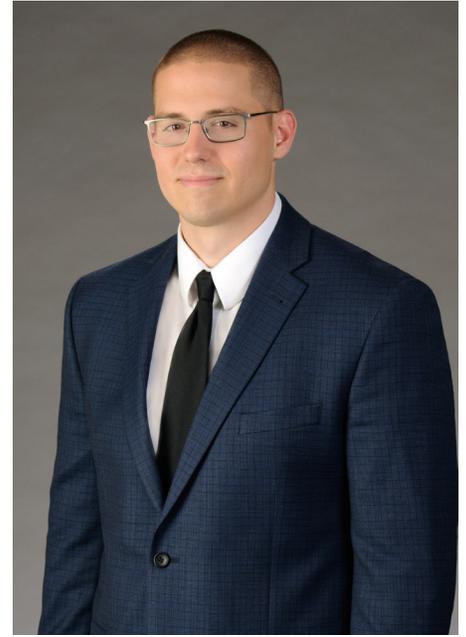
Benjamin P. Deninger is an Associate in the Construction Law Practice group of Smith, Gambrell & Russell, LLP.

Mr. Deninger devotes his entire practice to helping clients resolve construction disputes and successfully negotiating transactional construction issues.

Mr. Deninger has worked with clients at every level of the construction industry including international contractors and engineering firms, public owners, regional developers and local subcontractors. He has assisted clients in resolving disputes in both State and Federal Court litigation as well as through alternative dispute resolution and has also advised clients in contract negotiations and in obtaining project financing. His litigation experience spans all phases of a construction dispute including proceedings in front of dispute resolution boards, pre-suit negotiations, discovery issues, motion practice, trial, appeal and alternative dispute resolution.

Before joining Smith, Gambrell, & Russell LLP, Mr. Deninger practiced in the Atlanta office of an Am Law 100 firm as a member of the firm's nationally ranked Construction & Infrastructure practice group. He has also practiced as a Construction Associate in the Tampa office of a large Florida law firm as well as a summer law clerk for the U.S. Trade Representative's Office of Natural Resources and Environment in Washington, D.C. In addition to his practice, Mr. Deninger was a contributing author to the United States chapter in the first and second volumes of the *Public-Private Partnership Law Review* published by Law Business Research Ltd. During law school, he served on the editorial board of and has been published in the *Texas Environmental Law Journal*.

Mr. Deninger earned his undergraduate degree in Political Science from the Florida State University in 2009 and received his J.D. from the University of Maine School of Law in 2012. He also earned an LL.M. in Global Energy Transactions and Environmental Law from the University of Texas School of Law where he graduated with honors in 2013. Mr. Deninger is admitted to practice in Florida and Georgia as



Contact Information

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Areas of Practice

Construction Law

Bar Admissions

Georgia

U.S. District Court for the
Northern District of Georgia
Florida

U.S. District Court for the Middle
District of Florida

well as the U.S. District Courts for the Middle District of Florida and Northern District of Georgia.

Representative Matters:

- Acted as part of the team representing an EPC contractor in Federal Court litigation arising from the construction of two new nuclear power generation units in Georgia. These units were the first new nuclear power generation units to be constructed in the U.S. in over 30 years. The contractor's claims exceeded \$1.6 billion and were ultimately settled to the client's satisfaction.
- Advised a multi-national South American based engineering and construction conglomerate in the pursuit of claims against a joint venture partner stemming from delays on a highway project in excess of \$1 billion.
- Represented a multi-national U.S. based engineering and design firm in proceedings before a contractually mandated design review board against the owner of a large highway construction project. Representation involved in excess of \$120 million in claims relating to delay damages, labor costs, differing site conditions, a pay-when-paid clause and the impact of a potential default.
- Represented a biotechnology firm in drafting and negotiation of the EPC Contract for the construction of their first commercial scale ethanol production facility in the southeastern U.S. utilizing their proprietary technology.
- Represented a specialty design firm involved in the \$55 million construction of several large nuclear waste disposal tanks in obtaining a termination for convenience at former nuclear power generation site in South Carolina.
- Advised a Taiwanese based automotive company in obtaining U.S. government financing for the development and production of Advanced Technology Electronic Vehicles in their first U.S. facility in California.
- Represented a regional engineering firm in litigation related to approximately \$5 million in damages resulting from the rupture of an underground wastewater pipe during the widening of a roadway and associated bridge in Florida.
- Represented a large general contractor in both State Court litigation and AAA arbitration involving claims of approximately \$5 million in damages to various project buildings due to allegedly deficient foundation and site work in Louisiana. Representation involved defending the client from the owner's claims as well as prosecuting the client's claims against its subcontractors.
- Represented a large general contractor in both State and Federal Court litigation in Florida involving in excess of \$3 million in damages to a large multi-family housing project due to alleged construction defects in the roof and stucco work. Representation

involved defense of the client against claims by the owner and architect as well as prosecution of the client's claims against its subcontractors and the architect.

- Acted as part of the team providing pro bono representation to a group of industrial welders from India. Representation involved prosecuting civil rights claims against the U.S. employer of these individuals in Mississippi and Texas. After litigation and settlement the U.S. employer filed for bankruptcy.