



R. Lee Mann III

Partner

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Services

Construction & Infrastructure
Construction Litigation
Litigation

Lee Mann is the leader of the Construction & Infrastructure Projects Team. The team is ranked Tier 1 for 2019 and 2018 by *Chambers*, *Best Lawyers* and *Legal 500*, was the 2015 and 2016 Construction “USA Team of the Year” by *Chambers*, and was the 2012 “USA Team of the Year” by *U.S. News – Best Lawyers*. Lee focuses his practice almost exclusively on construction and government contracting law, including mechanic’s liens and bond claims. He has mediated, arbitrated, and litigated a wide variety of construction disputes for owners, contractors, subcontractors, and suppliers on public and private projects throughout the United States and internationally, including gas pipelines, hydroelectric facilities, road and bridge projects, pulp and paper projects, large dams, drinking water and wastewater treatment plants, hospitals, manufacturing facilities, commercial projects, condominiums, schools, casinos, military installations, and convention centers.

For instance, Lee has represented:

An EPC contractor in the prosecution of claims in an ICC arbitration arising from a \$2 billion pulp project in South America;

The contractor in the successful defense of lawsuits and the prosecution of counterclaims against the owners of large gas pipeline project in Louisiana, Texas, Illinois, and Indiana;

The contractor in recovering \$40 million from the Corps of Engineers on the Seven Oaks Dam project in Southern California;

The construction manager in successfully defending more than \$50 million in claims from contractors on the Phase IV Expansion of the Georgia World Congress Center;

The owner in defeating more than \$40 million in claims on the \$3.5 billion Boston Harbor Project;

The contractor in the successful defense of five lawsuits seeking more than \$40 million in damages arising



from hospital projects in Florida, Georgia, and Texas;

A hydroelectric supplier in litigation in the successful defense of lawsuits and arbitrations in California, Arkansas, and Connecticut;

Highway contractors in litigation against the Georgia Department of Transportation and Caltrans; and

A heavy civil contractor in the defense of \$200 million in claims brought by a *qui tam* plaintiff under the False Claims Act.

Lee is especially familiar with mechanic's lien law and bond law, having prosecuted or defended more than 100 mechanic's lien and payment bond claims. He is also very familiar with the False Claims Act and was a member of the defense team that obtained summary judgment for the contractor on more than \$200 million in claims brought by a *qui tam* plaintiff.

Lee was recognized in *The Best Lawyers in America*[®] for Construction Law in 2019 and the six years immediately preceding. He is listed in the 2017, 2018 and 2019 editions of *Chambers USA: America's Leading Lawyers for Business* in the area of Construction. Lee was recognized as a 2015 "Legal Elite" in the area of Real Estate & Construction Law by *Georgia Trend* magazine. He was also recognized in the 2010, 2012, 2016, 2017, 2018 and 2019 *Legal 500 US* for Construction and is AV[®] rated by Martindale-Hubbell.*

Lee enjoys the outdoors. Like his father and brother, Lee is an Eagle Scout. He is the Scoutmaster for sixty Boy Scouts in Troop 298 and is the Pack Committee Chairman and past Cubmaster for almost two hundred Cub Scouts in Pack 298.

*CV, BV, and AV are registered certification marks of Reed Elsevier Properties Inc., used in accordance with the Martindale-Hubbell certification procedure's standards and policies.

Experience

Represented one of the world's largest suppliers of hydroelectric equipment and defended and asserted claims involving a hydroelectric project near San Diego, California. The dispute involved claims exceeding \$30 million among the owner, designer, equipment supplier, and contractor.

Represented the public owner on the largest construction project undertaken in the United States. We worked with the owner's team, including local counsel, since 2005 defending major contractor claims involving differing site conditions, impacts and inefficiencies associated with excavation work and other alleged delays and changes. In the same manner as FIDIC-format construction documents provide, all project disputes are presented to a disputes review board (DRB). Our extensive DRB experience preparing, evaluating, presenting and



defending claims has been particularly beneficial to the public owner.

Represented a Florida construction company, specializing in contracting and construction management services, in defeating claims by *qui tam* plaintiff under the False Claims Act arising from the construction of the Seven Oaks Dam in Southern California. The district court for the District of Columbia granted our motion for summary judgment on the plaintiff's claims, and the court of appeals for the D.C. Circuit affirmed. No money was awarded to the plaintiff.

Represented a pipeline contractor in a Texas state court in the defense of \$40 million in claims asserted by a pipeline owner and the assertion of a \$14.8 million counterclaim against the pipeline owner arising from the construction of a 31-mile pipeline project in Indiana and Illinois. During the course of this representation, we obtained rulings that: the pipeline owner was guilty of spoliation of its project emails; the pipeline owner was guilty of spoliating the surplus pipe from the project; the pricing terms in the contract were unambiguous and applied regardless of the actual costs incurred by our client, which eliminated the owner's primary defense to \$2.8 million of the claims asserted by our client; excluding evidence of settlement offers made by our client, which the owner intended to use as admissions of liability; denying the owner's motion for summary judgment on our client's claim for interest under the Texas Prompt Pay Act; and prohibiting the owner's damages expert from opining that our client was responsible for the vast majority of the owner's claims. The pipeline owner and our client subsequently settled the claims between them. The terms of the settlement are confidential.

Represented the Massachusetts Water Resources Authority (MWRA) on the U.S. \$4 billion Boston Harbor Project, which involved over 100 separate design and construction contracts, and during the peak of construction was one of the largest public works projects in the United States. The treatment plant and associated facilities on Deer Island in Boston Harbor provide 61 communities and 2.5 million people with state-of-the-art wastewater treatment with a capacity of over 900 million gallons per day. Construction included new primary and secondary treatment plants, a new headworks, a sludge-to-fertilizer plant, a dedicated power plant, a 5-mile inter-island tunnel and a 9.5 mile effluent outfall tunnel. As a fully integrated member of MWRA's management team, worked directly with the MWRA's legal and technical staff on a day-to-day basis to avoid as many problems as possible and to resolve quickly and efficiently those problems that could not be avoided during the construction of a massive tunnel/wastewater project.

Represented a pipeline contractor in Texas state court against one of the largest pipeline owners in the United States arising out of a 135-mile pipeline crossing Louisiana. The pipeline owner claimed damages against our client in excess of \$45 million, plus attorneys' fees, costs, and interest. Our client asserted a counterclaim against the pipeline owner in excess of \$51 million, plus attorneys' fees, costs, and interest. We settled the dispute on terms that, at the owner's request, are confidential.



Represented one of the world's largest suppliers of hydroelectric equipment in the defense and prosecution of a claim involving a hydroelectric project in Minnesota.

Represented of a pipeline contractor in Alabama federal court against two affiliated subcontractors. The subcontractors asserted over \$15 million in claims against our client. We moved to dismiss one of the subcontractors' claims on the grounds of improper forum. The court granted our motion, and the parties later settled the claims on favorable terms for our client. The terms of the settlement are confidential.

Represented an international construction company in claims against the U.S. Army Corps of Engineers arising from the Seven Oaks Dam in Southern California. The Seven Oaks Dam was, at the time, the largest civil works project under construction by the Corps and is the largest earthen dam ever built in North America. The client encountered differing site conditions and defective specifications during construction of the dam, and filed to recoup the extra costs it incurred. After we successfully tried several claims before the Armed Services Board of Contract Appeals, the Corps agreed to mediate the client's largest claim which stemmed from the placement of 15 million cubic yards of material on the dam. The mediation was successful and the Corps ultimately agreed to resolve all of the outstanding claims on the dam, with a total recovery for the client in excess of \$40 million.

Education

University of Georgia School of Law, J.D. (1995) *magna cum laude*, Managing Editor of *Georgia Law Review*, *Order of the Coif*, *Woodruff Scholar*

Georgia Institute of Technology, Bachelor of Industrial Engineering (1985) *with highest honors*

Admissions

Georgia (1995)

Florida (1996)

Court Admissions

Georgia Supreme Court (1995)

U.S. District Court for the Northern District of Georgia (1995)

Florida Supreme Court (1996)

U.S. Court of Federal Claims (1997)

U.S. District Court for the Middle District of Georgia (1997)

U.S. District Court for the Northern District of Florida (2008)

U.S. District Court of the Eastern District of Arkansas (2009)



Professional & Community Activities

Georgia Law Review, Managing Editor

Boy Scout Troop 298, Scoutmaster

Cub Scout Pack 298, Pack Committee Chairman and Past Cubmaster

Insights

[News Releases](#)

Kilpatrick Townsend Receives Top Rankings from 2019 Legal 500 US
July 10, 2019

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Kilpatrick Townsend Achieves Top-Tier Recognition from Chambers USA 2019
May 2, 2019

[In The News](#)

Record-Breaking Recognition for Kilpatrick Townsend in The Best Lawyers in America® 2019
August 20, 2018

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Kilpatrick Townsend Receives Top Rankings from 2018 Legal 500 US
June 11, 2018

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Kilpatrick Townsend Achieves Recognition From Chambers USA 2018
May 11, 2018

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Forty-Four Kilpatrick Townsend Attorneys Named to 2017 - 2018 International Who's Who of Business Lawyers
March 19, 2018

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Kilpatrick Townsend Recognized by Prestigious 2017 Legal 500 US
October 2, 2017

[News Releases](#)



Record-Breaking Recognition for Kilpatrick Townsend in The Best Lawyers in America® 2018
August 15, 2017

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Kilpatrick Townsend Achieves Recognition From Chambers USA 2017
May 30, 2017

[News Releases](#)

Kilpatrick Townsend Earns Record-Breaking Recognition in Annual Best Lawyers in America 2017
August 16, 2016

[News Releases](#)

Kilpatrick Townsend Recognized by Prestigious 2016 Legal 500 US
June 20, 2016

[Events](#)

2016 Atlanta Construction Law Seminar
April 28, 2016

[News Releases](#)

Kilpatrick Townsend Attorneys Named 2015 “Legal Elite”
December 7, 2015

[News Releases](#)

Kilpatrick Townsend Earns Record-Breaking Recognition in Annual Best Lawyers in America 2016
August 19, 2015