



Brian G. Corgan

Partner

1100 Peachtree Street NE
Suite 2800 , Atlanta , GA USA 30309
t 404.815.6217 | f 404.541.3163
bcorgan@kilpatricktownsend.com

Services

Construction & Infrastructure
Construction Litigation
Litigation

Industries

Energy
Oil & Gas

Brian Corgan concentrates his practice in construction contracts, litigation, and alternative disputes resolution. Mr. Corgan has handled construction disputes involving nuclear and coal-fired power plants, cement plants, heat recovery steam generators (HRSG), hydrogen plants, international airport runway construction, prisons and correctional facilities, cogeneration (power, cement and lime) plants, off-shore oil production, storage and off-loading facilities, wastewater treatment plants, environmental remediation and closure projects, mining facilities, meat processing facilities, steel mills, oil refineries, hospitals, convention centers, and a variety of other commercial and industrial construction projects.

Since 1979, Mr. Corgan's practice has focused on the representation of owners, construction managers, and contractors on large industrial and commercial projects. His clients range from owners to engineering and materials testing firms, construction managers, general contractors, subcontractors, suppliers, sureties, and design professionals. He has been involved in arbitrations, mediations, state and federal court trials, and international adjudications.

Mr. Corgan's practice has focused on the representation of owners, construction managers, and contractors on large projects such as:

- The design and construction of four grassroots nuclear power plants;
- A hydrogen production facility;
- Heat Recovery Steam Generator (HRSG) projects;
- A massive copper mining and electrowinning facility;
- A \$2.4 billion off-shore oil production, storage, and off-loading facility in the South China Sea;
- The design and construction of a large cement/power/lime cogeneration facility;

- The design and construction of large cement plants;
- The design and construction of coal-fired power plants;
- Construction of large multi-use convention centers;
- Construction of chemical and petrochemical facilities;
- Construction of oil refineries and related expansions;
- The design and construction of large, complex aquariums; and
- Numerous design-build and EPC projects including beef processing facilities, cogeneration and power plants, prisons and correctional facilities, convention centers, research facilities, and environmental remediation and closure projects.

Mr. Corgan is a Fellow of The American College of Construction Lawyers. He was recognized in 2009, 2011, 2012, 2014, 2015, 2016, 2017, 2018 and 2019 by the prestigious *Legal 500 US* in the area of Construction Law, recognized repeatedly for Construction in *The International Who's Who of Business Lawyers*, and Corporate Counsel's Top Lawyers for 2011. He was also honored in 2014, 2015, 2016, 2017, 2018 and 2019 as a "Leading Lawyer" by *Legal 500 US* for Construction Law. Mr. Corgan was recognized in *The Best Lawyers in America*[®] for Construction Law in 2020 and each of the 12 years immediately preceding. He was also named an "Atlanta Lawyer of the Year" in 2014 and 2020 for Construction Litigation and again in 2015 for Construction Law by *The Best Lawyers in America*[®]. Mr. Corgan is listed in the 2019 and ten years immediately preceding editions of *Chambers USA: America's Leading Lawyers for Business* for Construction Law, and he is listed as #1 in the 2011, 2012, and 2013 editions and as a "Star Individual" nationally in the 2019 and the five immediately preceding editions. Mr. Corgan has been recognized as a Top 100 Georgia "Super Lawyer" by *Super Lawyers* magazine. He was also named a Georgia "Super Lawyer" in the area of Construction/Surety in 2013 and the six years immediately preceding and again in 2019 and the five years immediately preceding for Construction Litigation by *Super Lawyers* magazine. Mr. Corgan was named a leading practitioner in Construction Law in 2014 and 2016 by Legal Media Group's Expert Guides *Best of the Best USA* and in 2018, he was recognized by Legal Media Group's Expert Guides *Best of the Best USA* as one of the "Top 30 Experts" in Construction Law. Mr. Corgan is listed in *Euromoney's Best of the Best USA 2018 Expert Guide* for Construction. He is AV[®] rated by Martindale-Hubbell.*

*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 an EPC contractor, which was a limited partnership comprised of three international design and



construction firms, in litigation in Kansas state court concerning the design and construction of a coal-fired boiler for a new power plant in Texas. Millions of dollars in claims against the designer/manufacturer of the coal-fired boiler were successfully resolved by designer/manufacture's payment of a mid-eight-figure amount.

Represented a contractor on a \$14 million claim for delay, insufficiency, and acceleration costs on construction of a hydrogen plant. After a four week arbitration, recovered in excess of 90% of damages sought, plus interest and attorneys' fees.

Represent a worldwide oil and gas organization with respect to disputes against various EPC contractors retained to perform the design, construction, and commissioning of an off-shore oil production, storage and off-loading facility located in the South China Sea, off the coast of Malaysia. The project cost is in excess of \$2 billion. We have been involved in formal disputes resolution processes in Malaysia and have negotiated other claims with various EPC contractors throughout Europe. In addition, we have asserted claims by our client against various of its EPC contractors, most contracts which include limitation of liability provisions tied to a specified percentage of the EPC contract price.

Claims in excess of \$75 million litigated for EPC contractor against manufacturer of coal-fired boiler.

Acted as a lead counsel representing an EPC contractor on four grassroots nuclear power plant units. These four units represent the first nuclear construction in the United States in the last 30 years. Handled all areas of discovery in a \$1.6 billion federal court litigation involving two of the units. The litigation was successfully resolved, but representation continues on ongoing claims asserted various project entities.

Represented remediation contractor terminated by EPC contractor on solid waste storage area cleanup project. After three-week federal court trial, recovered \$9.8 million in damages, plus interest and attorneys' fees. Defeated EPC contractor's claim in its entirety.

Represented a heavy mechanical contractor in a five week arbitration relating to design and construction of HRSG. Obtained \$26.4 million dollar award that consisted of 100% of damages sought, attorneys' fees, costs, expenses, and pre-Award and post-Award interest.

Obtained a jury verdict for \$7 million, plus attorneys' fees, and defeated a \$10 million counterclaim in its entirety after a seven week federal court jury trial in San Francisco.

Four-week arbitration involving claims in excess of \$140 million.

Recovered \$9.8 million on claims of \$10.3 million, plus attorneys' fees, interest, costs and expenses after



36-hearing day arbitration. Also defeated counterclaims totaling \$55 million in their entirety. Award was issued on August 6, 2009, and confirmed by the United States District Court for the Southern District of Iowa on November 23, 2009. The case involved the production of over three million electronic documents, and required their review, organization and utilization for depositions and the arbitration hearings.

Education

Tulane University Law School, J.D. (1979) *summa cum laude*, *Order of the Coif*

Tulane University, B.A. (1976)

Admissions

Louisiana (1980)

Georgia (1979)

Court Admissions

United States Supreme Court (1986)

Second Circuit Court of Appeals (2010)

Third Circuit Court of Appeals (1985)

Sixth Circuit Court of Appeals (2003)

Eighth Circuit Court of Appeals (2011)

Ninth Circuit Court of Appeals (1992)

Eleventh Circuit Court of Appeals (1981)

Northern District of Georgia (1980)

Middle District of Georgia (1991)

Middle District of Louisiana (1980)

Supreme Court of Louisiana (1980)

Supreme Court of Georgia (1980)

Georgia Court of Appeals (1980)

Superior Court of Georgia (1979)

Professional & Community Activities

American College of Construction Lawyers (ACCL), Fellow

Harvard University, Graduate School of Design, Guest Lecturer

Tulane Law Review, Former Notes Editor



Director, Board of Directors: Chris Kids, 2002-2006

Director, Chris Kids Properties Board, 2007-2012

Committee Member, Blessed Trinity High School Advisory Committee, 2007-2008

Committee Member, Blessed Trinity High School Facilities Committee, 2007-2008

Post-Katrina Legal Assistance Program (Atlanta), October 2005

Good of the Gulf Legal Program (New Orleans), December 2007

Insights

[News Releases](#)

Thirty-nine Kilpatrick Townsend Attorneys Named to 2018-2019 *International Who's Who of Business Lawyers*
October 22, 2019

[News Releases](#)

Best Lawyers in America® 2020 Names Kilpatrick Townsend Attorneys "Lawyers of the Year"
August 15, 2019

[News Releases](#)

Record-Breaking Recognition for Kilpatrick Townsend in *The Best Lawyers in America*® 2020
August 15, 2019

[News Releases](#)

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

[News Releases](#)

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

[News Releases](#)

Kilpatrick Townsend Achieves Recognition for 2019 Georgia Super Lawyers
February 28, 2019

[In The News](#)

Record-Breaking Recognition for Kilpatrick Townsend in *The Best Lawyers in America*® 2019



August 20, 2018

[News Releases](#)

Kilpatrick Townsend Receives Top Rankings from 2018 Legal 500 US

June 11, 2018

[News Releases](#)

Kilpatrick Townsend Achieves Recognition From Chambers USA 2018

May 11, 2018

[News Releases](#)

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

March 19, 2018

[News Releases](#)

Kilpatrick Townsend Once Again Achieves Recognition for 2018 Georgia Super Lawyers

February 28, 2018

[News Releases](#)

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

[News Releases](#)

Kilpatrick Townsend Achieves Recognition From Chambers USA 2017

May 30, 2017

[News Releases](#)

Kilpatrick Townsend Once Again Achieves Recognition for 2017 Georgia Super Lawyers

February 28, 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

[News Releases](#)

Kilpatrick Townsend Once Again Achieves Recognition From Chambers USA 2016
May 31, 2016

[Events](#)

2016 Atlanta Construction Law Seminar
April 28, 2016

[News Releases](#)

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

[News Releases](#)

Kilpatrick Townsend Recognized by Prestigious 2015 Legal 500 US
July 15, 2015

[News Releases](#)

Kilpatrick Townsend Once Again Achieves Recognition From Chambers USA 2015
May 22, 2015

[In The News](#)

Kilpatrick Townsend's Media Report March 27 - April 2, 2015
April 3, 2015

[News Releases](#)

Kilpatrick Townsend Once Again Achieves Recognition for 2015 Georgia Super Lawyers
February 26, 2015



[In The News](#)

Kilpatrick Townsend's Media Report February 6-12, 2015

February 13, 2015