



Ryan A. Hiss
PARTNER

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Throughout his 25+ year career, Ryan Hiss has focused his practice on asserting and protecting the legal rights of those involved in the construction industry. He strives to effectively advocate on behalf of his clients and favorably resolve disputes as efficiently as possible — so his clients can focus on the building process, instead of legal issues.

Ryan’s construction practice is multi-faceted and he has represented clients in matters throughout the United States. He represents virtually all stakeholders associated with construction projects, including general contractors, construction managers, subcontractors, suppliers, owners, equipment renters, architects, and engineers in both litigation and alternative dispute resolution. The subject matters of these disputes have varied over the years, including: project delays, construction defects, change order disputes, differing site conditions, labor productivity losses and inefficiencies, failure to pay, differences in contract interpretation, insurance coverage, design errors and omissions, mechanics liens, payment and performance bonds, and statutory violations.

Ryan routinely draws upon his extensive litigation experience to counsel and advise his clients on claim prevention and dispute avoidance measures. When not representing his clients in court, mediation or arbitration, Ryan is frequently called upon to draft, review and negotiate construction contracts, including general contracts, subcontracts, supply purchase orders, equipment rental agreements, design agreements, and subconsultant agreements. He uses his litigation experience to assist his clients in anticipating potential legal issues, pinpointing contract provisions that are ripe for dispute, identifying risks, and appropriately allocating identified risks.

EDUCATION

- ▶ University of North Carolina, Chapel Hill School of Law J.D., with Honors, 1995
 - ▶ Member, *Law Review* 1993 – 1994
- ▶ North Carolina State University, B.A., *summa cum laude*, 1992



RECENT NEWS

- ▶ Chambers USA 2022 Ranks Laurie & Brennan LLP as a Band 1 Construction Law Firm and Five Attorneys Individually Ranked
- ▶ Laurie & Brennan Attorneys Conduct Mock Trial at CFMA National Conference
- ▶ Ryan Hiss Speaks on Indemnification Obligations of Subcontractors
- ▶ Ryan Hiss Presents to CFMA Chicago on Advanced Construction Contracts
- ▶ Five Laurie & Brennan Attorneys Selected to Illinois 2022 Super Lawyers List
- ▶ Laurie & Brennan Again Ranked as a Band 1 Construction Law Firm by Chambers USA 2021, With Five Attorneys Achieving Individual Rankings
- ▶ Five Laurie & Brennan Attorneys Recognized as 2021 Super Lawyers

Awards and Honors +

- ▶ Ranked by Chambers USA in Construction (2020 – present)
- ▶ Named an Illinois Leading Lawyer in Construction (2016 – present)
- ▶ Designated as an Illinois Super Lawyer in Construction Practice (2012 – present)
- ▶ Recognized by Best Lawyers® in Construction Practice (2012 – present)
- ▶ Included in *Chicago Lawyer's* “Top Attorneys In Illinois” (2015 – present)

Professional Organizations +

- ▶ Society of Illinois Construction Attorneys (SOICA), Inductee (2010)
- ▶ American Bar Association Forum on Construction Law Member (2008 – present)
- ▶ Construction Financial Management Association (CFMA), National and Chicago Chapter
 - Chicago Chapter Board Member (2014 – 2017)
 - Chicago Chapter Membership Chair (2010 – 2012)
 - Chicago Chapter Program Committee (2012 – present)
- ▶ Associated Steel Erectors (ASE)
 - General Counsel (2013 – present)
- ▶ Illinois State Bar Association Member (2001– present)

Representative Matters +

- ▶ Lead counsel in an arbitration in Chicago representing a subcontractor who installed the concrete superstructure for a downtown high rise and secured award of over \$10 million for increased construction costs due to decreased labor productivity, inefficiencies and delays resulting from changes made and directives given by the general contractor.

- ▶ Co-counsel in ongoing litigation in Los Angeles representing the owner of two high rises against the general contractor on a \$300 million plus project for claims arising out of the Owner's termination of the general contractor's construction contract.
- ▶ Lead counsel in ongoing litigation in Pennsylvania representing the general contractor of an international embassy against its window supplier and manufacturer on multi-million dollar claims for breach of warranty and failure to comply with specifications.
- ▶ Lead counsel in an arbitration in Chicago representing a general contractor against a prefabricated wall manufacturer and installer for a multi-use project in Chicago's northside and secured award just under \$1.0 million for delays to the critical path of the construction schedule as well as construction defects by the subcontractor.
- ▶ Lead counsel in an arbitration in Atlanta representing a crane rental company against an international crane manufacturer and secured an award of nearly \$2.0 million for breach of warranty, misrepresentations and operational failure of cranes purchased by our client.
- ▶ Lead counsel in ongoing dispute in northern Illinois representing the owner of a cold storage facility against an EPC contractor who designed, constructed and fabricated equipment for the over \$300 million facility for design and construction defects causing the facility to not operate as designed.
- ▶ Lead counsel in an arbitration in Chicago representing a general contractor against an Owner in a \$4.0 million dispute over Owner's wrongful termination of the general contract. Matter settled mere days before the hearing began.
- ▶ Lead counsel in ongoing litigation in Chicago representing a general contractor against the performance bond surety for a defaulted subcontractor seeking over \$1.0 million in construction costs incurred as a result of the subcontractor's default.
- ▶ Lead counsel in trial in Chicago representing the owner of a general contractor against a former partner in the construction business and secured judgment defeating claims by former owner for alleged buy-out value in company.
- ▶ Lead counsel in arbitration in Chicago representing general contractor against Owner of project for unpaid construction costs due to dispute over to quality of work and secured payment of full amount requested by general contractor in the arbitration award.
- ▶ Co-counsel in trial in North Carolina representing Owner of property against developer who constructed development on neighboring property and created erosion, sedimentation and pollution control issues on his project.
- ▶ Lead Counsel in litigation in DuPage County, Illinois representing a general contractor defending against an owner's claims of alleged construction defects in the masonry and exterior façade work on a commercial development and secured summary judgment ruling denying all claims asserted by the owner against client.
- ▶ Co-counsel in litigation in Arizona representing owner of apartment complex against general contractor and subcontractors for defective construction and secured \$6 million settlement in favor of client.
- ▶ Lead counsel in litigation in Indiana representing a general contractor against a demolition subcontractor for payment for alleged delays and change order work performed on a bridge construction project in Indiana and secured successful settlement as a result of defeating several of opponent's claims in motion practice.
- ▶ Successfully litigated and resolved numerous mechanics lien and payment bond claims on behalf of general contractors and subcontractors in various State Courts of Illinois.
- ▶ Secured multi-million dollar settlement on behalf of owner of property in Miami against general contractor for delays and construction defects.
- ▶ Acted as second chair counsel in defending architect and engineer of an NFL stadium against claims for design defects and secured beneficial settlement on behalf of client.

Community Involvement



- ▶ Hamlin Park Baseball/Softball Association, Board Member (2014 – present)
- ▶ Friends of A.N. Pritzker Elementary School, President (2015 – 2017)

Publications



- ▶ Co-Author, "Reservation of Rights Letters: Take Control of Your Legal Defense," *CFMA Building Profits* (January/February 2018)
- ▶ Co-Author, "Tips, Tricks & Tidbits to Help Identify & Manage Struggling Subcontractors," *CFMA Building Profits* (May/June 2014)
- ▶ Co-Author, "Joint Ventures — What You Need to Consider Before, During & After," *CFMA Building Profits* (September/October 2012)
- ▶ Co-Author, "Here Comes the Judge-Duties and Responsibilities of Design Professionals When Deciding Disputes," *ASCE Journal of Professional Issues in Engineering Education and Practice*, Vol. 129, Number 3 (July 2003)

Presentations



- ▶ Speaker, "Construction, Contracts & COVID," Kentucky CPA Society (October 2021)
- ▶ Speaker, "COVID Impacts on Construction," CFMA Chicago (December 2020)

- ▶ Speaker, "Navigating Document Retention in the Construction Industry," CFMA Chicago (December 2019)
- ▶ Speaker, "Loss of Productivity Claims," CFMA Midwest Regional Conference (September 2019)
- ▶ Speaker, "Construction Contracts 101," CFMA Chicago (January 2019)
- ▶ Speaker, "Mechanics Lien Rights for the Interior Designer," Chicago, IL (November 2017)
- ▶ Speaker, "Construction Law Update," Illinois CPA Construction Industry Virtual Conference, Chicago, IL (October 2017)
- ▶ Speaker, "Effective Contract Negotiations," CFMA Midwest Regional Conference, Oak Brook, IL (September 2017)
- ▶ Speaker, "The New AIA Contract Documents," CFMA Midwest Regional Conference, Oak Brook, IL (September 2017)
- ▶ Speaker, "Getting Contractors Paid," Associated Steel Erectors Education Seminar, Countryside, IL (August, 2017)
- ▶ Speaker, "Contract Negotiation For The Financial Manager," CFMA National Conference, Scottsdale, AZ (June 5, 2017)
- ▶ Speaker, "Equipment Company Claims," American Association of Cost Estimators (AAACE), Chicago, IL (April 6, 2017)
- ▶ Speaker, "Contracts 101," National Electrical Contractors Association, Oak Brook, IL (February 22, 2017)
- ▶ Speaker, "Hot Topics In Tax And Construction Law," CFMA Program, Oak Brook, IL (October 19, 2016)
- ▶ Speaker, "Strengthen Your Position For Getting Paid," CFMA Midwest Regional Conference (September 27, 2016)
- ▶ Speaker, "Claim Review & Validation for Maximizing Recovery," CFMA Program, Oak Brook, IL (February 17, 2016)
- ▶ Speaker, "Mechanics Liens: New Changes & Old Issues," CFMA Program, Oak Brook, IL (November 11, 2015)
- ▶ Speaker, "Examining Legal Issues & Disputes — Construction Contracts Workshop," HalfMoon Education, Wheaton, IL (November 7, 2014)
- ▶ Speaker & Moderator, "Troubled Subcontractors," CFMA Panel Discussion, Oak Brook, IL (October 22, 2014)
- ▶ Speaker, "Mechanics Liens, Sworn Statements & Lien Waivers, Oh My," CFMA Midwest Regional Program, Oak Brook, IL (September 23, 2014)
- ▶ Co-Author, "Tips, Tricks & Tidbits to Help Identify & Manage Struggling Subcontractors," CFMA Building Profits (May/June 2014)
- ▶ Speaker, "Construction Management Agreements — AIA Documents," Naperville, IL (April 16, 2014)
- ▶ Speaker, "Illinois Public Construction Bond Act & Contract Warranties," Clifton Larson Allen's Annual Construction Accounting and Financial Reporting Seminar, Schaumburg, Illinois (October 17, 2013)
- ▶ Speaker, "Advanced Contract Negotiations," CFMA Chicago Chapter, Oak Brook, IL (February 27, 2013)
- ▶ Speaker, "Hot Button Construction Law Issues for CPA's," Illinois CPA Society – Construction Industries, Oak Brook, IL (October 30, 2012)
- ▶ Speaker, "Public Liens in Illinois," Illinois Continuing Education, Chicago, IL (September 21, 2012)
- ▶ Speaker, "Strengthen Your Legal Position Through Contract Negotiation," Chicago Roofing Contractors Association, Naperville, IL (September 18, 2012)
- ▶ Speaker, "Joint Ventures — What You Need to Consider Before, During & After," CFMA National Conference, Orlando, FL (June 26, 2012)
- ▶ Speaker, "Preventing & Resolving Construction Defect Claims," American Conference Institute, Orlando, FL (February 29, 2012)
- ▶ Speaker, "Construction Contracts 101," CFMA-Chicago Chapter, Oak Brook, IL (December 6, 2011)
- ▶ Program Co-Chair, "Construction Insurance," ABA Forum on the Construction Industry, Chicago, IL (September 22, 2011)
- ▶ Speaker, "Perfecting Mechanics Liens in Illinois Private Construction," Chicago Bar Association (December 8, 2010)
- ▶ Speaker, "Construction Management Agreements," Lorman Education Services, Countryside, IL (February 19, 2008)
- ▶ Speaker, "Important Considerations for your Subcontract, Strong Construction Contracts: Your Foundation for Payment," National Business Institute, Oak Brook, IL (February 26, 2007)
- ▶ Speaker, "Key Provisions in Subcontracts, The Fundamentals of Construction Contracts: Understanding the Issues in Illinois," Lorman Education Services, Arlington Heights, IL (July 28, 2006)
- ▶ Speaker, "LEED Green Building Rating System and Related Legislation in Illinois," Stein, Ray & Harris Design Symposium, Chicago, IL (April, 2006)
- ▶ Speaker, "Construction Defect Claims from the Contractor's Perspective, Construction Defect Claims in Illinois," Lorman Education Services, Chicago, IL (February 16, 2006)
- ▶ Speaker, "LEED Green Building Rating System and Related Legislation in Illinois," Lorman Education Services, December 8, 2005 (Downers Grove, Illinois)
- ▶ Speaker, "Here Comes the Judge, the Design Professional's Responsibility as the Arbiter of Disputes," Stein, Ray & Harris Design Symposium, Chicago, IL (March 2002)

Bar and Court Admissions



- ▶ Illinois, 2001

- ▶ U.S. District Court for the Northern District of Illinois, 2001
 - ▶ North Carolina, 1995
 - ▶ U.S. District Court for the Eastern District of North Carolina, 1995
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