



John R. Dingess ,Esq.  
Pittsburgh,Pennsylvania



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**Current Employer-Title**

Dingess, Foster, Luciana, Davidson & Chleboski LLP - Senior Counsel

**Profession**

Attorney - Construction Law, Construction Litigation, General Commercial Litigation and International Dispute Resolution

**Work History**

Senior Counsel (since 2023)/Founding and Managing Partner (2010-2022), Dingess, Foster, Luciana, Davidson & Chleboski LLP, 2010-present; Partner/Associate, K&L Gates LLP, 1978-2010.

**Experience**

Over 45 years of experience in the above areas of law throughout the U. and abroad. Significant focus on the engineering, procurement and construction (EPC) turn-key method of project delivery concerning dispute resolution, contract negotiation and project finance. Lead counsel on multiple disputes concerning mega-projects with each project valued in the billions of dollars, including the largest infrastructure project in the history of the U.S. (the "Big Dig"), the largest offshore oil & gas project under a single contract in the history of the industry off the coast of Brazil (over \$1 billion in claims), a gas-to-liquids (GTL) project in Africa and liquefied natural gas (LNG) project in Indonesia. Lead counsel involved with disputes and negotiations concerning power projects throughout the U.S. aggregating more than 10,000 MW, principally gas- and coal-fired facilities. Lead counsel involved with disputes on a wide variety of industrial projects, including petrochemical, chemical, iron & steel, pipeline, pulp & paper, oil & gas, power generation and process facilities. Representation of all tiers of participants in the domestic and international construction and engineering business from owners and their representatives to contractors and their subcontractors and suppliers. Lead counsel involved with disputes on a broad spectrum of private and public

*John R. Dingess ,Esq.*

*Neutral ID: 107960*

The AAA's Rules provide the AAA with the authority to administer an arbitration including, arbitrator appointment and challenges, general oversight, and billing. Accordingly, arbitrations that proceed without AAA administration are not considered AAA arbitrations, even when the parties select an arbitrator who is on the AAA's Roster.

The information contained in this resume has been supplied solely by the individual arbitrator and may, or may not, be a complete reflection of their experience. The AAA assumes no responsibility for the content, completeness, accuracy, or reliability of the information contained in an arbitrator's resume. If you have any questions about an arbitrator's experience or background, you are encouraged to contact your case manager.

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projects, including office buildings, hotels, casinos, convention centers, prisons, shopping malls, heavy highway and bridges, utilities and transportation facilities. Experience with all types of disputes and claims in the construction and engineering industry, including disputes and claims relating to surety bonds, letters of credit, delays and disruptions, acceleration, productivity, differing site conditions, force majeure, scope changes, cardinal changes, payment, warranties, performance guarantee concrete and structural steel buildings and forensic investigations and root cause analyzes relating to construction defects. Lead counsel for investigations into construction project overruns and preparation of early case assessments and going-forward strategies. Listed in The Best Lawyers in America for more than 20 years (Bet-the-Company Litigation Commercial Litigation and Construction Law, selected as Lawyer of the Year multiple times in the areas of Bet-the-Company Litigation and Construction Law), The International Who's Who of Construction Lawyers, The International Who's Who of Business Lawyers, Top Rated Lawyers (Martindale-Hubbell AV Preeminent Rating [highest rating for legal ability and ethical standards, 20 plus years], Commercial Litigation and Construction Law) and Pennsylvania Super Lawyers (Construction Litigation) 20 plus years.

Founder and leader of global construction practice group while employed at K&L Gates LLP.

#### **Alternative Dispute Resolution Experience**

Lead attorney in numerous construction and engineering arbitrations in several states in the U.S. (including New York, North Carolina, Pennsylvania and Texas) and abroad (including England and France) under the auspices of various administrative agencies (including the AAA, ICDR, ICC and the LCIA) and ad hoc proceedings (UNCITRAL Rules and submission agreements) with respect to projects located in states throughout the U.S. and several other countries (including Brazil, Venezuela, Indonesia, Iran, Iraq, India and Thailand). AAA/ICDR arbitrator since 1988 and original member of the AAA Mega Project panel. Serve as panel chair, panel member and sole arbitrator in various arbitral proceedings. Serve as Special Master appointed by U.S. District Court Judge pursuant to Rule 53 of the Federal Rules of Civil Procedure in connection with disputes concerning the U.S. Capitol Visitor Center in Washington, DC, including holding evidentiary hearings, issuing Report of Special Master and acting as mediator at request of the Court and the parties resulting in global resolution of all claims. Serve as Special Discovery Master at the request of U.S. District Court Judge. Member of Advisory Committee on large public infrastructure project.

#### **Education**

Allegheny College (BA-1973); Southwestern University (Law Review, Student Director Legal Aid Clinic, cum laude, JD-1978).

#### **Professional Licenses**

Admitted to the Bar: Pennsylvania, 1978; U.S. District Court, District of Pennsylvania, 1978; U.S. Court of Appeals: Second, Third and Fifth Circuits; Pro Hac Vice admission to various federal and state courts

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throughout the U.S., including California, District of Columbia, Florida, Illinois, Kansas, Louisiana, Massachusetts, Minnesota, Michigan, New Jersey, New York, Ohio and Texas.

## Professional Associations

International Bar Association: Public and Professional Interest Division (Forum for Barristers and Advocates), Legal Practice Division (Dispute Resolution Section, Arbitration Committee) and Energy, Environment, Natural Resources and Infrastructure Law Section (International Construction Projects Committee); American Bar Association: Forum Committee on the Construction Industry, International Law, Litigation (Construction, Energy and International), Public Contract Law, Tort Trial and Insurance Practice and Business Law; Pennsylvania State Bar Association: Civil Litigation and International & Comparative Law Sections; Allegheny County Bar Association: Construction Law Section (Past Chair), Civil Litigation Section and Federal Court Section.

## Recent Publications & Speaking Engagements

“Key Issues in Presenting Disruption and Delay Cases” presented at the 2022 AAA Construction Conference: Effectively Preventing, Managing and Presenting Construction Disputes in the “New Normal” New York, New York (June 2022); “Managing Multiple Experts in Complex Construction Disputes” presented at the Construction SuperConference, Orlando, Florida (December 2021); “The Law of Construction Defects and Failures” presented at HalfMoon LLC Continuing Education Seminar, Pittsburgh, Pennsylvania (August 2012); “EPC Contracting - Is It As Easy As ABC,” presented at the Construction SuperConference, San Francisco, California (2009); “Trials vs. Arbitrations (Domestic and International) for Construction Disputes,” presented at the Construction SuperConference, San Francisco, California (2008); “Contractual Risk Mitigation Strategies,” presented to KBR Business Development Oversight (BDO) Group, Houston, Texas (2008); “International Arbitration: Managing Risk in High Growth / Risk Markets,” presented seminar in New York, New York (2008); “The Big Dig,” presented at the Fluor LawCon, San Diego, California (2008); “Overview of Arbitration in Latin America,” presented at Topical Issues in International Arbitration, London, England (2006); “Protect This House: Contractual Risk Allocation,” presented at the Halliburton/KBR Global Law Department Conference, Dallas, Texas (2006); “Use of Public-Private Partnerships (PPP/P3) in the United States,” presented in conjunction with the National Council for Public-Private Partnerships (NCPPP) in New York, New York (2006); “Owner Strategies for Dealing with the Financially Troubled Contractor,” presented at the Construction SuperConference, San Francisco, California (2004); “Life on the Other Side of the Pond - A Look at Some of the More Unique Aspects of American Jurisprudence Relevant to Construction Projects,” presented at the Second Global Project SuperConference, London, England (2003); “Current Trends in Commercial / Contract Dispute Resolution,” presented to MidAmerican Energy Company, Law Department, Continuing Legal Education Session, Des Moines, Iowa (1997); Former Editor-in-Chief of “Construction Law and Business,” Aspen Publications; Co-author, “Owner Strategies for

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Dealing with the Financially Troubled Contractor," Construction Law Update, Aspen Publishers (March 2005); Co-author, "Recovering Construction Contract Damages Using the Total Cost Method, or the Abandonment of Contract / Cardinal Change Doctrines," Construction SuperConference, San Francisco, California (2002); Co-author, "How to Select the Most Effective Local Counsel in India," Corporate Legal Tim (August 1997); "Update on Indian Arbitration: Under the Arbitration and Conciliation Ordinance," Mealey's International Arbitration Report (1996); Co-author, "Arbitration Under Pennsylvania and Federal Law," Allegheny County Bar Association Conference (Winter 1996).

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| <b>Citizenship</b>   | United States of America  |
| <b>Languages</b>     | English   |
| <b>Compensation:</b> |   |
| Hearing:             | \$1,000.00 per hour   |
| Study:               | \$1,000.00 per hour   |
| Cancellation Period: | 0 days  |
| Comment:             | Charges for pre-hearing, hearing, travel outside of resident locale (plus expenses for transportation, hotel room and meals), study and award preparation time.<br>Charges for a minimum of 8 hours at standard rate per hearing day. Willing to travel domestically and internationally. |

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