

David A. Luzum

MEMBER

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The Carillon Building
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Practices

Collections

Creditors' Rights

Construction Services for General Contractors

Construction Services for Owners

Construction Services for Subcontractors and Suppliers

Litigation

Alternative Dispute Resolution

Appellate

Business & Commercial Disputes

Insurance Coverage and Bad Faith

Lender Liability

Professional Liability

Shareholder Litigation

Industries

Construction

Financial Services

Real Estate

With more than a decade of experience, David focuses his practice on complex business, construction, and financial services litigation. He represents individuals and businesses ranging from single-member limited liability companies to Fortune 500 companies in all manner of complicated disputes, including contract, real estate, fraud, and malpractice actions. He is experienced in arbitrations and jury trials, has tried cases in state, federal, and bankruptcy courts, and advises clients in appellate matters. This depth of knowledge enables David to work collaboratively with clients at any stage to find the best practical solution to a problem.

In the construction arena, David represents developers, contractors, subcontractors and suppliers in a wide range of contracts, scope-of-work conflicts, construction defects, delays, lien and bond claims, and collection matters. In addition to being an experienced litigator, David drafts construction contracts and subcontracts to protect clients on the front end.

David has also represented local community banks, credit unions, and several of the largest banks in the country in collection matters and defending against allegations by borrowers asserting mortgage-related claims, including wrongful foreclosure, Truth in Lending Act violations, and state mortgage statute violations.

A graduate of the Kenan-Flagler Business School at the University of North Carolina at Chapel Hill, David earned his law degree from the University of North Carolina School of Law, where he served on the North Carolina Law

Education

University of North Carolina School of Law, J.D. with honors, 2010

University of North Carolina at Chapel Hill, Kenan-Flagler Business School, B.S.B.A. 2007

Admissions

North Carolina, 2010

Georgia, 2013

4th Circuit Court of Appeals

11th Circuit Court of Appeals

Review.

Experience

- Represented a UK-based construction project safety equipment manufacturer in a contract dispute with its North American sales representative.
- Represented a national title insurance company in an accounting malpractice action against an auditor arising out of a \$25+ million fraud scheme.
- Represented a commercial property owner in action against its insurer to recover for hail damage to 10+ properties.
- Represented the buyer in an action to compel the sale of a commercial property pursuant to a purchase agreement.
- Represented a local business in the enforcement of numerous non-competition agreements against former employees.
- Managed high-volume dockets of collection and defense actions for various financial institutions.
- *Avery v. Paulding County Airport Auth.*, 343 Ga. App. 832, 808 S.E.2d 15 (2017). Successfully obtained dismissal of multi-million dollar claim against the County for alleged violations of the Contracts Clauses of the U.S. and Georgia Constitutions.
- *Howell v. Fulford (In re Southern Home & Ranch Supply, Inc.)*, 561 B.R. 810 (Bankr. N.D. Ga. 2016). Successfully defended at trial a shareholder against claims of fraudulent conveyances asserted by bankruptcy trustee.
- *Sand-Stone, Inc. v. Camp (In re Camp)*, 514 B.R. 917 (Bankr. N.D. Ga. 2014). Won summary judgment in favor of a general contractor accused by a subcontractor of embezzling and converting funds.

Recognition

North Carolina Law Review, 2008 – 2010