

David A. Senter

MEMBER

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Practices

Construction Services for Owners
Construction Services for General Contractors
Construction Services for Design Professionals
Construction Services for Subcontractors and Suppliers
Construction Law
Bankruptcy & Creditors' Rights
Litigation

Industries

Construction

Education

- Wake Forest University, J.D., *cum laude*, 1984
- Wake Forest University, B.S., *cum laude*, 1981

Admissions

- North Carolina (All State & Federal Courts)

David Senter is a genuine product of North Carolina's legal community and is widely respected for his background in construction law, commercial litigation, and commercial collections. He practices law with honesty, confidence, and commitment, and routinely draws upon his 35+ years of experience to deliver innovative solutions and legal strategies on a wide range of issues impacting the state's construction industry.

A Track Record that Speaks for Itself

Since David joined the firm in 1984, clients have trusted him to handle routine and complex cases. He has become sought-after for his practical advice, building a practice with significant career highlights that include:

- Advice and negotiation over alleged steel paint defect on the railroad lift bridge over Galveston Bay.
- Advice regarding supplier joint ventures for large public works and stadium projects throughout the United States.
- Representation of one of NASCAR's top drivers in construction of his state of the art race shop and resulting litigation.
- Successful representation of client in federal court trial over structural steel supplied for the longest cable stay bridge in North America.
- Representation of one of the largest structural steel fabricators in the country with regard to project delivery methods, contract negotiations

- U.S. Court of Appeals, Fourth Circuit
- United States Supreme Court

and claim resolution for projects ranging from high rise buildings to sports stadia to industrial facilities.

Although his track record speaks for itself, his knowledge and love of the law impress even the most seasoned attorneys. That has earned him accolades as one of North Carolina's top construction lawyers by a number of industry ratings systems.

David has been named among the *Best Lawyers in America* in Construction Law and he has earned Lawyer of the Year for Litigation-Construction/Greensboro. He's been recognized as a Legal Elite in Construction Law by Business North Carolina magazine and has also earned distinction as a North Carolina Super Lawyer in Construction Law.

David frequently speaks before national and local audiences on topics related to his practice. He has authored a variety of articles in bar and trade publications and has served in leadership positions for several professional associations. David is an Adjunct Professor of Construction Law at Wake Forest University School of Law.

Experience

- Representation of helical anchor supplier in connection with collapse of 1036 foot TV tower
- Federal court trial over structural steel supplied for the longest cable stay bridge in North America
- Representation of structural steel fabricator in claims involving airbus hanger facility
- Representation of structural steel fabricator in contract negotiations over sports stadium and energy related facilities
- Representation of structural steel fabricator over \$13 million REA related to one of the largest college stadiums in the country
- Representation of a structural steel fabricator with regard to construction, lien and bond issues related to its bankruptcy pending in the Southern District of New York. This involved preparing a matrix of subcontractor and supplier lien and bond rights for approximately 15 states and then analyzing the actual lien and bond rights of subcontractors and suppliers on projects in each of those states.
- Prosecution of an engineering and design firm's claim for \$1.2 million due for design of a fiber optic cable system across two states. The case involved defending claims of deficient design and pursuing claims against a surety and against a contractor and owner in bankruptcy

court.

Recognitions

- Recognized by *Chambers USA*, Construction, North Carolina in 2020, 2021, 2022
- Martindale-Hubbell AV Peer Rated for Highest Level of Professional Excellence; Distinguished Peer Rated for High Professional Achievement
- Business North Carolina's *Legal Elite* in Construction
- Listed in *Best Lawyers in America* for Construction Law and Litigation-Construction
- Listed in *Best Lawyers in America* for "Lawyer of the Year" for Construction Law in Greensboro in 2012, 2014, 2016, 2020
- Listed in *The International Who's Who of Construction Lawyers*
- Listed in North Carolina *Super Lawyers*® for Construction Litigation

Community & Professional

- American Bar Association
 - Forum on Construction Law
 - Former Member, Governing Committee, Forum on Construction Law
 - Former Chair, Division 9 Steering Committee, Specialty Trade Contractors and Suppliers, Forum on Construction Law
- Charter Fellow, Construction Lawyers Society of America
- North Carolina Bar Association, Member, Construction Law Section Council
- American Arbitration Association, Panel of Arbitrators and Large Complex Case Panel
- NCDRC Certified Superior Court Mediator

David serves as an Adjunct Professor of Construction Law at Wake Forest University School of Law.

Writing

"Payment" chapter in Construction Law Casebook published by the American Bar Association's ("ABA") Forum on the Construction Industry (2nd ed., 2019)

Co-author of the chapter "Warranties in Subcontracts" in the Construction Subcontracting book published by the ABA Forum on the Construction Industry (2014)

Co-author of the North Carolina section in the **State-by-State Guide to Contracts and Claims** book published by Aspen Law & Business

Alternative Dispute Resolution section of the North Carolina Construction Law Deskbook (7th ed., 2016)

"The Role Of The Subcontractor" chapter in The Fundamentals Of Construction Law published by the ABA Forum on the Construction Industry (2nd ed., 2013)

Co-author of the North Carolina section in the **State-by-State Guide to Architect, Engineer, and Contractor Licensing** book published by Aspen Law & Business

News

01.07.2019 | Media Reports

Nexsen Pruet Attorneys Named 2019 Legal Elite of North Carolina

Speaking Engagements

06.16.2022 | Breakfast Briefing | PNC Arena | Raleigh, NC

PAST EVENT: The Construction Industry in 2022: State of the Industry – Including price increases, material availability, legislative updates, and employment issues. (an In-Person Breakfast Briefing - Raleigh, NC)

Insights

12.07.2021 | Article

Federal Contractor Vaccination Mandate and Change Orders – Watch Out!

09.02.2021 | Article

BATTLE OF THE FORMS (a/k/a maybe not the deal you thought you had)

08.10.2020

Consequential Damages in Construction – The Silent Killer