

Kelley Halliburton

Partner

Washington DC
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Education

- Indiana University Maurer School of Law, JD
- Iowa State University, BS

Practices & Industries

- Power & Energy Construction
- Commercial Litigation & Complex Trials
- Energy
- Construction & Surety

Admitted to Practice

- District of Columbia
- Indiana (Inactive)

Court Admissions

- US District Court for the District of Columbia
- US Court of Appeals for the District of Columbia Circuit

Biography

Kelley focuses her practice on complex construction and commercial litigation. She has nearly 15 years of experience working on power and energy construction disputes and other complex construction and commercial matters and disputes.

Kelley leverages a deep understanding of construction law, an analytical mind, and extensive experience with the e-discovery process to find and develop evidence to support her clients' claims effectively and efficiently. Her ability to manage massive amounts of data has been applied to a wide range of matters, including several very large construction disputes.

Additionally, Kelley counsels clients on staying “litigation ready” by managing data and information-governance issues in a proactive manner. She also drafts construction contracts for large-scale projects, including EPC contracts for power-related projects.

Prior to joining Barclay Damon, Kelley was a litigator at a highly regarded Washington DC–based boutique construction litigation firm, where she managed the firm's e-discovery efforts. Before her legal career, she worked in intercollegiate athletics as a media relations professional.

Bar Associations

- American Bar Association, Forum on Construction Law

Selected Memberships & Affiliations

- Barclay Damon’s Women’s Forum
- Association of Certified E-Discovery Specialists
- Women in eDiscovery

Representative Experience

- Successfully represented a general contractor in a complex, multiparty dispute regarding the construction of a 17-story casino hotel tower in Anne Arundel County, Maryland, including claims relating to alleged construction defects and schedule delays. The case was settled after significant discovery, motion practice, and mediation on terms favorable to the client.
- Represented the owner of multiple newly constructed hydroelectric plants in litigation against the turbine generator equipment manufacturer, including co-managing the e-discovery process with co-counsel. The litigation, which spanned more than five years and included multiple terabytes of data and more than 70 depositions, settled on the eve of trial.
- Successfully represented a major general contractor in achieving a favorable resolution in a fiercely contested and highly publicized case involving the Silver Spring Transit Center project in Montgomery County, Maryland. After four weeks of a jury trial, the county dropped its multimillion-dollar claims and agreed to pay our client $3 million on the client's affirmative claims. The case involved highly technical issues regarding concrete construction, schedule analysis, and damages.
- Successfully represented a power plant owner in a dispute involving the construction of a three-turbine hydroelectric power plant in Livingston County, Kentucky. Defended the owner against claims of over $7 million made by an electrical contractor on the project and asserted claims on behalf of the owner against the electrical contractor due to nonconforming work and delays. A favorable settlement of all claims was achieved, resulting in the dismissal of the lawsuit.
- Represented a not-for-profit wholesale power supplier and services provider in a dispute related to the cancellation of the 960-megawatt coal-fired AMPGS power plant in Meigs County, Ohio. Our client sued the defendant for $97 million for wanton and reckless breach of the EPC contract. The ensuing litigation was ultimately resolved through mediation.

Prior Experience

- Shapiro, Lifschitz & Schram, Attorney
- Multiple Agencies, Contract Attorney
- Indiana University School of Law, Graduate Research Fellow
- Iowa Attorney General's Office Special Litigation Division, Legal Intern
- Indiana State University, Assistant Athletics Media Relations Director
- University of Florida Athletic Association, Women's Sports Information Assistant

Selected Media

- *Construction Business Owner*, "Why Every Construction Project Needs a Dispute Resolution Plan"
- PLUSnxt *Talking Tech* Podcast, "eDiscovery & AI"
- *Today's General Counsel*, "How to Manage Data Collection and Management Challenges in Construction Litigation"
- *POWER Magazine*, "Avoiding Pitfalls in Power and Energy Construction Projects"
- *The Legal Intelligencer*, "Key Decision Points When Planning and Budgeting for E-Discovery Costs in Litigation"
- Construction Financial Management Association *Building Profits*, "Manage Risk by Developing a Robust Document Retention Policy"; "Plan Ahead: Electronic Document Management in Emergency Situations"

Selected Must Know Minute®

- Using Generative AI Tools in E-Discovery
- Generative AI and Discoverable Evidence
- Shared Hyperlinked Documents: Protect Your Business by Understanding New Developments
- Planning Ahead—Why Electronic Document Management Systems Are Needed