

Chris Mahoney

Partner

Washington DC
P: 202.689.1900
cmahoney@barclaydamon.com

Education

- Georgetown University Law Center, JD
- Union College, BA, *Summa Cum Laude*, Phi Beta Kappa

Practices & Industries

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

Admitted to Practice

- Maryland
- District of Columbia

Court Admissions

- District of Columbia Court of Appeals
- Maryland Court of Appeals
- US Court of Appeals for the District of Columbia Circuit
- US Court of Appeals for the Fourth Circuit
- US Court of Appeals for the 10th Circuit
- US Court of Appeals for the 11th Circuit
- US Court of Federal Claims
- US District Court for the District of Columbia
- US District Court for the District of Maryland

Biography

Chris is a seasoned and versatile trial lawyer, having handled a wide array of complex civil litigation over the past 40 years, including commercial disputes of all types, construction litigation, and business torts as well as real estate, employment, and environmental matters.

Chris represents clients from multiple industry sectors, litigating cases for foreign and domestic government contractors and subcontractors, building owners and designers, financial institutions, universities, medical equipment suppliers, chemical companies, information technology providers, foreign companies, and not-for-profit entities.

He has served as both trial and appellate counsel for individuals, small businesses, multinational corporations, municipalities, and administrative agencies before juries and judges in federal and state courts across the country as well as before mediators and arbitrators.

Bar Associations

- American Bar Association, Construction Industry Forum
- District of Columbia Bar Association
- Maryland State Bar Association, Construction Law Section

Selected Memberships & Affiliations

- Associated Builders & Contractors, Inc., Metro Washington Chapter
- Construction Users Roundtable, Friend of CURT
- Litigation Counsel of America, Fellow

Representative Experience

- Represented a developer in two related lawsuits involving a tenants association's assignment of its rights under the DC Tenant Opportunity to Purchase Act (TOPA) to purchase a $40 million high-rise residential apartment building. Obtained an injunction after the trial enjoining the tenants association from assigning its TOPA rights. Successfully negotiated a court-approved settlement that resulted in the assignment of the tenants association's TOPA rights to another developer in return for a significant payment to our client.
- Represented a public national real estate investment trust in a multiparty, complex lawsuit involving the construction of a mixed-use 19-story masonry building at a $300 million multi-use development project and claims of defective design and construction totaling more than $16 million. After extensive fact and expert discovery, obtained a favorable settlement in complex mediation.
- Represented a commercial designer and fabricator of reinforced earth retaining walls in a multimillion-dollar action brought by a municipality related to the failure of two walls. Obtained dismissal of the plaintiff's breach of contract and warranty claims and, after extensive fact and expert discovery, a favorable settlement on the plaintiff's remaining claim for gross negligence.
- Represented a large not-for-profit company in a federal district court action against an iconic Washington DC hotel for breach of contract regarding the client's annual fundraising event. After extensive fact and expert discovery, obtained summary judgment for the client on liability and dismissal of the defendant's counterclaim and, after trying the issue of damages, obtained a substantial jury verdict and award of attorney's fees.
- Served as defense counsel for a commercial designer of precast concrete highway barriers in an AAA arbitration proceeding initiated by a subcontractor-fabricator for damages and equitable adjustment costs associated with reduced and delayed production of barrier units. After an extensive evidentiary hearing before the panel of arbitrators, obtained a favorable ruling awarding the claimant a fraction of the amount sought.
- Served as lead defense counsel in a multimillion-dollar nationwide class action brought by water treatment facilities in Louisiana and Ohio to recover the cost of monitoring and removing chemicals from public water supplies under the Safe Drinking Water Act. Obtained summary judgment for the defendant and affirmance on appeal.
- Represented the owner of a multimillion-dollar home in a construction contract dispute with the builder. Stayed the builder's mechanic's lien action by initiating an AAA

arbitration proceeding against the builder, which resulted in a prompt and favorable settlement for the owner.

- Served as trial counsel for the plaintiff in an adverse possession lawsuit. Obtained a temporary restraining order enjoining the adjacent landowner from dismantling encroachments erected by the plaintiff and judgment at the trial awarding the client title to the disputed property and dismissal of the defendant's counterclaim alleging violation of a conservation easement.
- Served as trial and appellate counsel for the defendant surety in a Uniform Commercial Code action brought by a chemical company over the efficacy of a sludge de-watering agent.
- Served as trial counsel in a mass tort action brought by New York State and others alleging a threat to public health from chemical contamination of groundwater throughout Suffolk County. Obtained judgment for the defendant after trial and affirmance on appeal.
- Served as counsel for a former corporate owner of a recycling facility in a federal action to recover remediation costs. Negotiated settlement before trial.
- Served as counsel for municipalities in breach of contract, negligence, and fraud actions against design engineers, builders, and equipment contractors of defective municipal wastewater treatment facilities. Obtained multimillion-dollar settlements for the clients.
- Served as defense counsel for a commercial developer sued by a competitor for fraud and tortious interference with a contract regarding the acquisition of an apartment complex. Obtained dismissal with prejudice for failure to state a claim.
- Served as defense counsel for a commercial real estate brokerage company in successive wrongful discharge actions brought by a former employee. Obtained dismissal with prejudice of the first action under the at-will doctrine and of the second action on res judicata grounds.
- Served as counsel for a construction company in a Trade Secrets Act lawsuit brought against a former project manager. Obtained a favorable settlement for the client in mediation.
- Served as defense counsel for a commercial borrower in an action brought by a lender alleging that the borrower wrongfully committed physical waste to realty collateralizing the loan. Obtained a favorable settlement for the client in mediation.
- Served as defense counsel for a commercial property owner in a mechanic's lien action brought by a general contractor. Obtained an order denying the petition after the evidentiary hearing.
- Served as defense counsel for an individual in an action brought by an office building owner to cancel the lis pendens filed by the client. Defeated the plaintiff's motion for an

injunction to cancel the lis pendens and obtained a favorable settlement for the client thereafter.

- Served as defense counsel for a trust beneficiary in a declaratory judgment action brought by the plaintiff claiming entitlement under the purchase option agreement to acquire property owned by the trust. Negotiated a monetary settlement for the client after the submission of cross-motions for summary judgment.

Prior Experience

- Shapiro, Lifschitz & Schram, Principal
- Duane Morris LLP, Partner
- Beveridge & Diamond, PC, Partner
- Beveridge & Diamond, PC, Associate

Selected Community Activities

- The Washington Legal Clinic for the Homeless, Volunteer Attorney
- The Legal Counsel for the Elderly, Pro Bono Attorney
- The Washington Lawyers' Committee for Civil Rights, Pro Bono Attorney
- Union College Alumni Club of DC, Board Member
- The American Friends of the London School of Economics, Member

Selected Honors

- Martindale-Hubbell AV Preeminent Peer Rated for Highest Level of Professional Excellence, 2001–2025
- *Washingtonian Magazine*, Washington DC's Top Lawyers List, 2004
- Washington Legal Clinic for the Homeless, Multiyear Commendation Award, 1997

Selected Media

- *Construction Best Practices*, "3 Steps to Ensure Subcontractor Performance"
- *Banking Law Journal*, "Defending Against the Electronic Funds Transfer Act Suit: A Case Study"
- *New York Law Journal* and *Metropolitan Corporate Counsel*, "Water Contamination Suits Likely to Hit NY: Vexing Issues Seen Arising in Claims Over MTBE"
- *Inside Litigation*, "Defeating Claims of Toxic Contamination: Anatomy of a Winning Defense"