



## **Matthew J. Ninneman**

*Member, General Counsel*

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### **Education**

JD: William Mitchell  
College of Law, 2002

BA: University of  
Minnesota, 1999  
History and Political  
Science

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### **Bar Admissions**

Colorado, 2002

U.S. District Court,  
District of Colorado

U.S. Court of  
Appeals, Tenth  
Circuit

U.S. Court of Federal  
Claims

Mr. Ninneman is the Firm's Construction & Design Practice Co-Chair and serves as the Firm's General Counsel. He litigates complex commercial and construction disputes in state and federal court and arbitration, representing public and private owners, developers, general contractors, design-builders, subcontractors, architects, engineers, and suppliers on private, public and hybrid projects, including heavy civil infrastructure, sports arenas, schools, hotels, hospitals, mass transit, roadways, industrial warehousing, and renovation and development of apartments, multi-family, mixed-use and single family residences. He focuses on resolving disputes over contract scope, payment, schedule/delay, construction and design defects, and performance claims for all types of vertical construction and infrastructure projects. In addition to litigating, Mr. Ninneman advises design and construction professionals on day-to-day risk management issues, drafting and negotiation of custom and form contracts, including AIA, DBIA, EJCDC and ConsensusDOCS, licensing and administrative reporting, bid protests, payment disputes including mechanic's liens, verified claims, performance and payment bond claims, and pre-litigation dispute resolution/mediation.

Mr. Ninneman is also a construction arbitrator through the *American Arbitration Association's* National Panel of Construction Arbitrators.

Mr. Ninneman is a frequent author and lecturer on issues concerning construction claims, contract drafting, design licensure, liability mitigation, and current issues impacting the construction industry.

### **Career Distinctions & Honors**

*The Best Lawyers in America*®; Litigation – Construction, 2020-2026; Construction Law, 2022-2026; Litigation – Insurance, 2022-2026

5280 Magazine, "Top Lawyers," Construction, 2021-2025

*The Best Lawyers in America*®, "Lawyer of The Year" in Denver for Construction Law, 2024

*Colorado Super Lawyers*®, Construction Litigation, 2017-2025

*Colorado Super Lawyers*®, "Rising Star," Construction Litigation, 2016

*American Arbitration Association | International Centre for Dispute Resolution*, Construction Law Arbitrator

First Place Recipient of Nathan Burken Memorial Competition on Copyright Law

Recipient of the Law School Public Service Award

### **Decisions**

*Namaste Solar Elec., Inc. v. HB Solar of S. California*, 2014 U.S. Dist. LEXIS 118797 (D. Colo. Aug. 26, 2014)

*Zehren and Associates, Inc. v. Braeburn Real Estate Development, LLC*, 2009 U.S. Dist. LEXIS 601 (D. Colo., Jan. 7, 2009)

*Phase One Landscapes, Inc. v. M. Julia Hook*, 2007 Bankr. LEXIS 3954 (10<sup>th</sup> Cir., Dec. 3, 2007)