



Thomas J. Madigan

Shareholder
Construction, Litigation
Pittsburgh, PA

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Education

- University of Pittsburgh School of Law, J.D., 1986, cum laude
- University of Pittsburgh Graduate School of Public and International Affairs, M.A., 1986, with honors
- Bucknell University, B.A., 1982, Economics and Political Science

Admissions

- Pennsylvania
- United States Supreme Court
- U.S. District Court for the Eastern District of Pennsylvania
- U.S. District Court for the Western District of Pennsylvania
- U.S. District Court for the Middle District of Pennsylvania
- U.S. Court of Appeals for the Third Circuit

Affiliations

- American Bar Association Forum on Construction Law
- Allegheny County Bar Association Construction Law section, Council Member

Civic & Charitable

- Marshall Township Board of Supervisors, Chairman
- Northern Regional Joint Police Force Pension Fund, Trustee
- Marshall Township Municipal Sewer Authority, Former Board Member
- Northern Regional Joint Police Force, Former Board Member
- Family Resources of Western Pennsylvania, Former Board Member

How Tom Helps Clients

Tom Madigan is a construction lawyer with more than 30 years of experience and leads the firm's Construction Practice Group. Tom represents general contractors, construction managers, engineers, owners and manufacturers and suppliers of systems, products and materials utilized in construction. He is experienced in all aspects of construction law from the negotiation of contracts to project counseling and the prosecution and defense of claims. He has extensive knowledge of all types of project delivery systems, including traditional design-bid-build, design-build, EPC, DBOM, and public-private partnerships.

Tom has litigated construction and design defect claims, delay and disruption claims and payment claims arising from public and private projects in jurisdictions across the United States. His extensive litigation experience includes numerous jury and bench trials, arbitration cases and appeals before the Pennsylvania Supreme, Superior and Commonwealth Courts and the United States Court of Appeals for the Third Circuit.

What Clients Can Expect

Tom's experience as a litigator informs his advice and counsel at the front-end of a project, as he knows what can go wrong when the parties do not anticipate and properly allocate the risks of performance. When called on during a project in trouble, Tom looks for practical, efficient solutions, while also making sure the client is properly positioned should litigation prove unavoidable.

When his clients find themselves caught up in litigation, Tom believes that there is no substitute for an in-depth understanding of the facts of the case and the governing law. Clients who have gone through litigation with Tom comment on his grasp of the design and construction details, and his ability to recall underlying events and facts and recite them in presentation to the mediator, or arguments to the arbitrator or judge, or when cross-examining opposing fact and expert witnesses.

Tom is regularly listed in The Best Lawyers in America® and Pennsylvania Super Lawyers for Construction Law and Construction Litigation and has an AV Preeminent rating by Martindale-Hubbel.

Outside the Office

Tom has been married for more than 30 years and has three adult children. He is active in local government, having served as a Township Supervisor for more than 15 years. A former Division I college track athlete, Tom has run several marathons and completed a full Ironman distance triathlon. He is an avid outdoor adventurer. He has canoed the Boundary Waters of Northern Minnesota, backpacked the Grand Canyon and Rocky Mountains, and successfully summited Mt. Rainier.

Proof Points

- Represented contractor joint venture in prosecution and favorable settlement of \$15 million claim against the United States Army Corps of Engineers on lock and dam project.
- Obtained \$3.2 million award on behalf of university owner against prime contractor and surety and defeated \$7 million counterclaim in a five-week trial before Pennsylvania Board of Claims.
- Obtained multimillion dollar settlement for university owner in litigation arising from \$100 million co-generation project.
- Represented owner in development, construction and financing of state of the art manufacturing facility utilizing tax advantaged bond issuance and land grant and lease back with local industrial development authority and Georgia Department of Economic Development.
- Represented university owner in negotiation and documentation of five year renovation of and addition to classroom building, involving sequenced work to accommodate continued use of building, and the on-going development of final design and construction documents with separate guaranteed maximum price proposals for each phase as the project progressed.