



## Timothy F. Brown

PARTNER

As a Partner in the Litigation Department, Tim focuses his practice on commercial litigation.



### Industries

Construction

### Practices

Bankruptcy & Financial Restructuring  
Complex Litigation

### Education

Harvard University JD, 1981  
Seattle University BA, 1978

### Offices

Washington, DC

### Phone

202.857.6470

### Email

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Tim concentrates his practice on complex contract disputes in connection with commercial and real estate projects, and related finance and surety issues.

### Client Work

In the commercial area, Tim has extensive experience litigating and arbitrating commercial disputes, involving many different kinds of actions (including claims for breach of contract, business valuation, fraud, and equitable relief) in many different factual contexts (ranging from garden variety business disputes to the design and manufacture of trains and other complex equipment). In the real estate finance area, he is experienced in the prosecution and defense of litigation between borrowers and lenders in the financing of commercial properties and associated proceedings in bankruptcy court. In the construction and development area, Tim has extensive experience in the prosecution and defense of construction and surety bond claims, including disputes involving bid protests, concealed conditions, default terminations, delay and acceleration, design errors, rescission of contract terms on grounds of fraud or mistake and performance bond claims, as well as related damage issues, including no damages for delay clauses, exclusion of consequential damages, and limitations on total cost claims.

Tim has tried numerous major commercial, construction, surety, and financing disputes before federal and state courts, federal boards, bankruptcy courts, and arbitration tribunals. He is also an appellate lawyer and has appeared in a majority of the federal courts of appeals. Representative cases include:

- Representation of *Amtrak* in a \$200 million dispute with the manufacturer of the Acela high-speed trains and its performance bond surety.
- Multimillion-dollar claims between the contractor and owner arising out of a hotel project in Miami Beach, Fla.
- Contract and lender liability claims against a prominent financial and insurance conglomerate for breach of an agreement to refinance a commercial office building in Bethesda, Md.
- Substantial construction and surety bond claims arising out of construction of the new FBI forensics laboratory in Quantico, Va. and default termination of the contractor.

Contested plan of reorganization confirmation hearings in the bankruptcy of a large real estate company with an extensive shopping center portfolio in Virginia and Maryland.

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## **Bar Admissions**

District of Columbia

Virginia

Washington

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## **Court Admissions**

Supreme Court of the United States

US Court of Appeals, District of Columbia Circuit

US Court of Appeals, 4th Circuit

US Court of Appeals, 5th Circuit

US Court of Appeals, 7th Circuit

US Court of Appeals, 9th Circuit

US Court of Appeals, Federal Circuit

US Court of Federal Claims

US District Court, District of Columbia

US District Court, District of Maryland

US District Court, Eastern District of Virginia

US District Court, Western District of Virginia

US District Court, Western District of Washington