



## Peter V. Dessau, Partner

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Peter Dessau's more than 30 year practice focuses on construction law, with an emphasis on litigation involving construction claims, defects and other related issues. Regularly advising clients out of both the firm's San Jose and Newport Beach offices, he represents developers, builders, design professionals and contractors in payment disputes, and defends and prosecutes delay and impact claims against private owners, contractors and public entities.

A trusted advocate to his clients, Peter also regularly provides counsel to members of the construction industry on risk management techniques to avoid litigation. He has been a writer and speaker on construction law topics, including serving as a guest lecturer for construction law classes at Santa Clara University School of Law and San Jose State University (Extension). Peter is a member of the American Arbitration Association's Panel of Construction Arbitrators.

Peter is rated AV<sup>®</sup> Preeminent™ on Martindale-Hubbell and has been recognized as a Northern California Super Lawyer every year since 2011.

### Education

Santa Clara University School of Law, J.D., 1988

Santa Clara University, B.A.,  
Philosophy, magna cum laude,  
1984

### Practice Areas

Construction

### Bar Admissions

State Bar of California

U.S. District Court, Northern  
District of California

U.S. District Court, Eastern  
District of California

U.S. District Court, Central  
District of California

### Representative Experience

- Arbitrated to judgment a \$15.35 million construction defect case on behalf of a national developer.
- Defended California prime contractor against claim that a one-million square foot roof on a major distribution center was defectively constructed when in fact the roof was an improperly specified product.
- Initiated and successfully concluded litigation on behalf of a publicly traded REIT against trade contractors and design team due to failures in a building curtain wall system on a high rise tower.
- Successfully resolved a multi-million dollar claim on behalf of a prime contractor against a school district involving delays and defective plans.
- Arbitrated and recovered damages against designers, contractors and the seller of a large apartment complex in a case involving defectively-installed siding.
- Prevailed before the American Arbitration Association on a claim for "extras" on behalf of a general contractor on a major tenant improvements project.

### Affiliations

- California State Bar Association
- Building Owners and Managers Association
- California Apartment Association
- Panel of Construction Arbitrators, American Arbitration Association
- Board of Directors, Housing Industry Foundation

### Speaking Events

- 2018 AAA Construction Conference; Lawyer Ethics: What Clients Need and Want in Construction Arbitration
- Panelist, Marcus & Millichap/IPA Bay Area Multifamily Forum, 2014
- Statistical Extrapolation in Construction Defect Cases, Claims Conference of Northern California, 2014
- A Refresher on Water Intrusion Issues, Building Performance University, 2013
- Litigation Scheduling, Construction Super Conference, 2012
- Statistical Extrapolation in Construction Defect Cases, Association of Defense Counsel, 2012
- How to Bid Abandoned Projects, Associated General Contractors of California, 2010
- Senate Bill 800 101, California Apartment Association, 2007
- Risk Management: Six Pre-Bid Considerations for the Estimator, American Society of Professional Estimators, 2007
- Common Design & Install Errors Associated with Stucco & EIFS, Building Performance University, 2007

### Publications

- Trial Pros: Miller Morton's Peter Dessau, *Law360*, April 2016
- Apartment Acquisitions Require Due Diligence, *Western Real Estate Business*, March 2015
- Buyer Beware: Due Diligence Do's and Don'ts, *Multifamily Executive*, October 2014 and January 2015
- Design-Build and Public Works Projects, *The Construction Specifier*
- Minimizing the Impact of Bankruptcy, *The Construction Specifier*
- Litigation- Proof Specifications, *The Construction Specifier*