



Cathy Altman

Partner

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An effective legal strategy cannot exist in a vacuum, and it is never enough simply to know the law. Making time to get to know a client's business—including the goals, values, and especially the people—matters.

Cathy Altman is a construction lawyer who offers clients the full range of services—from strategic counsel on transactional matters and project planning to resolving often complex disputes (including real estate disputes) through negotiation, arbitration, or litigation. She has represented both public and private entities in connection with the construction of large commercial or infrastructure projects, such as highways, bridges, airport and rail facilities, energy projects, manufacturing facilities, and commercial buildings.

Success in the construction and real estate areas requires the ability to think ahead, anticipate problems, and focus simultaneously on both the smallest tactical details and the bigger strategic picture—Cathy boldly checks all these boxes. A fifth-generation farmer, she also possesses a well-grounded work ethic and the creative vision to help build something extraordinary, often from nothing, for her clients.

In addition to her practice as an advocate or neutral arbitrator on construction matters, Cathy stays integrally connected to the business community and industry leaders through her service on boards that promote economic development in North Texas, as well as her

leadership position with a national construction law organization. "I am also very fortunate to serve on a public board that annually oversees hundreds of millions of dollars in engineering and construction contracts for infrastructure projects. Sitting in that chair has empowered me with even greater awareness of the kind of legal advice and guidance that helps leaders positively impact their organization."

Significant Matters

Construction Experience

- Regularly advise owners and subcontractors regarding procurement, risk allocation, contract negotiations, and claims resolution for design and construction of public and private projects, including commercial, industrial, and infrastructure projects.
- Lead counsel on complex construction disputes described below involving defects, change orders and delays on road and highway projects, water treatment plants, airport and rail facilities, energy projects, multifamily, hospital, and other public projects.
- Represented public entity on a \$1.5 billion design build project involving delay claims relating to real estate matters.
- Represented public entity in connection with delay claims and change orders asserted by contractor on \$200,000,000 million project.
- Represented owner of \$100,000,000 manufacturing facility in connection with cost overrun, delays, and defects by terminated contractor.
- Represented regional tollway authority on various transactional and dispute matters, including substantial claim for cost overruns and delay by contractor in connection with construction of a tollway project.
- Represented international airport in two lawsuits involving delay and change order claims arising out of design and/or construction defects and costs to repair defective rail facilities.
- Represented subcontractor in connection with state and federal lawsuits arising out of transmission line project.
- Represented large metropolitan county in connection with delay and cost overrun claims by general contractor relating to a various matters, including a jail project, road project, and complex historical renovation of courthouse and other county facilities.
- Represented manufacturer and installer of baggage handling systems in construction and payment disputes around the country and served for three months in a secondment as solo in-house counsel, assisting with risk analysis of bids, drafting construction contracts, and advising on change orders and dispute resolution during projects.
- Represented major airline in various contract and construction disputes involving fuel farms at multiple airports, as well as in arbitration and lawsuits arising out of design and construction defects, breach of warranties, schedule delays and cost overruns encountered in an \$80 million airport project in New York.
- Represented the public owner of a \$50 million performing arts center in a lawsuit against the architect for errors and omissions and schedule delays.

- Represented an international specialty supplier/subcontractor in numerous projects including water treatment facilities, hospitals, airports, and other government buildings.
- Represented the owner of a department store damaged by soil movement in a complex case involving claims against the design and construction team.
- Represented a large international client defending over \$80 million in claims brought by a foreign governmental entity arising from a gas turbine failure. The case involved protracted jurisdictional challenges and international discovery in three countries over several years.
- Represented a general contractor in a lawsuit filed by a condominium developer alleging schedule delays and warranty claims relating to water infiltration and other alleged construction defects.
- Represented a restaurant equipment supplier in various matters, including a dispute regarding cost overruns and delays in connection with a large commercial kitchen facility.

Business Litigation Experience

- Lead appellate lawyer on a successful reversal of class certification in an oil & gas matter.
- Representative clients include large insurance brokerage firms, reinsurers, equipment and device manufacturers, and others.
- Represented a regional hospital system in a complex antitrust lawsuit brought against a group of specialty physicians and its affiliated entities.
- Represented an investment company in \$50 million dispute arising out of the financing and acquisition of three high-rise office towers in New Orleans. The dispute involved litigation in two states and included numerous parties and counterclaims relating to the financing and performance of dozens of other commercial investments.
- Represented an investor in litigation regarding enforceability of excess tax payment agreements involving numerous high-rise office towers in Las Colinas.
- Represented a national insurance company in a multi-week arbitration against a hospital involving failure to transfer an HMO license and reimbursement of insurance proceeds. Represented a Delaware limited liability company in a multi-week AAA arbitration arising out of a dispute with a former partner and claims for dissolution.
- Represented a lender in federal court and AAA arbitration proceedings involving breach of contract and tortious interference claims arising out of a tri-party agreement for interim and permanent financing for commercial project.
- Represented the former officers and directors of a dot.com in defense of claims for breach of fiduciary duty brought in an adversary proceeding by a Chapter 7 trustee.
- Experience counseling and litigating on behalf of clients seeking to enforce or to defend against enforcement of covenants not to compete and nondisclosure agreements.
- Represented owner of hotel properties in suits for accounting and breach of fiduciary duty.
- Represented manufacturer in contract and product liability dispute involving specialized medical equipment.
- Represented various clients defending and enforcing covenants not to compete and trade secret disputes.

Areas of Focus

Industries

- Hospitality
- Manufacturing
- Public Entities
- Real Estate and Construction
- Transportation and Infrastructure

Services

- Litigation and Disputes
- Professional Liability
- Real Estate
- Construction

Education

- University of Kentucky, J.D., 1995, cum laude
 - Phi Delta Phi
 - Associate Editor, Kentucky Law Review, 1994-95
- Vanderbilt University, B.A., 1992

Admissions

- Texas, 1995
- U.S. District Court Northern District Texas
- U.S. District Court Southern District Texas
- U.S. District Court Eastern District Texas
- U.S. District Court Western District Texas

Leadership

- Board of Directors, Trinity River Authority
- Regional Advisory Board, First Financial Bank
- Member of the Construction Law Exam Commission for the Texas Board of Legal Specialization
- Governing Committee Member and Membership Chair, ABA Forum on the Construction Industry
- ABA Forum on Construction Trial Academy (Former Chair and Faculty Member)

- Past Chair, Owners and Lenders Division, ABA Forum on the Construction Industry
- Founding Member and Secretary, Ellis County Women in Business
- Member of the Board Executive Committee and Chair of Governance Committee, North Texas Commission
- Board Member Waxahachie Symphony Association (Co-Chair of Beaus & Belles)
- Former Chair, Midlothian Chamber of Commerce
- Former Chair, Midlothian ISD Growth Management Committee
- Former member Ellis County Bond Oversight Committee (design/construction of new courthouse and jail)
- Former Board Member, Dallas Women Lawyers Association
- Former Board Member, Midlothian Economic Development Committee
- Former Secretary, Midlothian Independent School District 2011 Bond Oversight Committee
- Former Board Member, Meals on Wheels of Johnson & Ellis County
- Former Associate, Patrick E. Higginbotham American Inn of Court, 2001-2002

Recognition

- Lawdragon 500, Leading Litigators in America, Construction Litigation, 2024
- *Best Lawyers in America*, 2024 Lawyer of the Year, Construction Litigation
- *Best Lawyers in America*, 2013-2024, Litigation – Construction, Construction Law
- Named to the Top 100 Lawyers in Dallas/Fort Worth list by *Super Lawyers*, 2023 Thomson Reuters
- Named to the Texas Super Lawyers list, as published in *Texas Monthly* magazine, 2014-2023
- Chambers USA, Construction – Texas, Band 4, 2023
- National Diversity Council Award, Dallas Top Women in Legal, 2019
- National Panel of Construction Arbitrators of the American Arbitration Association
- Recognized by *D Magazine* Best Lawyers in Dallas
- Board Certified in Construction Law by the Texas Board of Legal Specialization, 2017
- Texas Super Lawyers – Rising Stars, 2005-2010, Thomson Reuters



Speeches/Publications

- Author, [*Considerations For Addressing Price Escalation And Supply Concerns For Construction Projects In A Post-Covid World*](#), Carrington Coleman Capital Newsletter, 2023 Industrial & Other Real Estate Issue (February 2023).
- Co-Editor, *Construction Trial Desk Book*, ABA Forum on Construction Law (September 2021).
- Co-Author of chapter on *Miscellaneous Provisions* in the ABA book *The 2017 A201 Deskbook*.
- Co-Author of chapter on *Achievable Energy Performance* in the ABA book *Green Building and the Construction Lawyer*.
- Speaker December 2019: Construction Super Conference: *Termination for Convenience*.
- Speaker March 2019: Texas State Bar Construction Annual Meeting: *A Speedy Defense*.
- Speaker and Author: ABA Forum on Construction on Construction Law, 2016 Fall Meeting: *Steps to Avoid Disaster*.
- Speaker January 2012: Insurance in the Construction Industry: *Front End Risk Management for Construction Projects*.
- Moderator Fall 2011: University of Texas Construction Conference: *Construction Litigation: Identifying the Players and Pressure Points with an Eye Toward the End Game*.
- Co-Program Chair and article author: *More than Nuts and Bolts: How to Construct and Deconstruct Expert Testimony*, sponsored by ABA Section of Litigation, Construction Litigation and Expert Witness Committees and Section of Public Contract Law.
- Speaker: *Lending Goes Green – What Non-Energy-Sector Borrowers Can Expect in the Future*, sponsored by the SMU Corporate Counsel Symposium.
- Speaker and Author: ABA Forum on the Construction Industry, 2008 Annual Conference, *The Legislative Impact of Alternative Energy, Climate Change, and Sustainability in the Construction Industry*.
- Speaker Fall 2010: University of Texas Construction Conference: *Green Building Litigation*.

Outside of Work

I like to joke that I collect farm animals for therapy. On my 20-acre farm (significantly smaller than the 10,000-acre farm where I grew up), I have chickens, guinea hens, horses, and some ridiculously adorable pygmy goats that I offer up for charity “goat yoga” events, and a pack of wonderful Pyrenees dogs that help me watch over the herd. I am also a voracious reader of leadership and personal development books by authors such as John Maxwell and Seth Godin—which not only help *me* to be a better leader, but also help me understand our clients’ leadership roles and challenges.