

Practice Areas

- Litigation
- Construction Law
- Admiralty & Maritime

Education

- Southwestern University, B.A. with honors and summa cum laude, 1999
- University of Beijing, China, 1998
- University College of London, 2001
- The University of Texas School of Law, J.D., 2002

Honors

- Presidential Scholarship Recipient, University of Texas School of Law
- Texas International Law Journal, University of Texas School of Law
- Mundy Research Fellow—Honors Thesis Research in Beijing, China, Southwestern University

Bar Admissions

- Texas

Court Admissions

- United States District Courts for all Federal Courts in Texas

Joshua N. Bowlin

Shareholder
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Josh Bowlin maintains a commercial litigation practice emphasizing professional liability defense, construction law, admiralty and maritime law, and oil & gas. He has participated in litigation before state and federal courts involving complex oil and gas disputes, construction disputes for both commercial and residential real estate, and has assisted clients with lawsuits arising from business disputes involving contracts, insurance, partnerships, and collections. Josh has arbitrated before the AAA under both their general and construction rules, the ICC, and has arbitrated before FINRA/NASD. He has successfully litigated lawsuits involving construction law, admiralty and maritime law, products liability, personal injury, medical malpractice, governmental liability and immunity, partnership and shareholder disputes.

Significant Cases

- *CITGO Petroleum Corporation v. ARI Commercial Properties, Inc., et al*, before the American Arbitration Association; Case No. 70-115-Y-00087-09. Represented CITGO who was awarded approximately \$3.75M in actual damages, costs and attorneys' fees for a suit arising from a defective exterior curtain wall system on a building in which CITGO was a tenant. The arbitral panel concluded that the landlord failed to repair the neoprene gasket system which held the entirety of the exterior glass for the building in place. As a result of these failures, the exterior curtain wall system was proven to be defective and failing, thus rendering the building uninhabitable. Additionally, the arbitral panel found that CITGO was constructively evicted and, consequently, released CITGO from over \$1M in unpaid rent, as well as approximately \$9M in future rent sought by the landlord in various counterclaims.
- *Burckhardt Compression (U.S.), Inc. v. ICA Fluor Daniel S. de R.L. de C.V.*; ICC Case No. 17108/VRO, *International Chamber of Commerce, International Court of Arbitration*. Brought suit against ICA Fluor Daniel S. de R.L. de C.V. forcing payment of outstanding invoices involving construction and delivery of three nitrogen reciprocating booster compressor packages for use in an ECA-Nitrogen Injection Facilities Project in Ensenada B.C., Mexico. ICA Fluor Daniel refused payment and demanded offsets and credits.

Joshua N. Bowlin, *Continued*

- *Robertson-Ceco II Corporation d/b/a Ceco Building Systems v. Fed XII, LLC and C.A. Walker, Inc.*; In the 234th Judicial District Court of Harris County, Texas. Successfully resolved claims asserted against client. On behalf of the client, we asserted competing claims against the general contractor for breach of contract, including Punch List work and liquidated damages. After two mediations, which involved two separate inspections by a third-party neutral architect, we successfully resolved the outstanding Punch List work and settled all claims.
- *Finer Space (San Jose) LLP v. Diamond H. Construction, L.L.C., and Mark Hartsell, Individually*; In the United States District Court for the Southern District – Houston Division; Civil Action No. H-06-1723. Litigated and negotiated a favorable settlement in federal court for the owner of a multi-million dollar construction dispute concerning a 320 unit apartment complex in Jacksonville, FL. Particularly, the owner claimed negligence, breach of contract and fraud against the general contractor for their failure to complete work and renovate the apartment complex into condominiums.
- *Centerpoint Energy Houston Electric, LLC v. AMCO Mechanical Contractors, Inc., AMCO Landscaping & Irrigation, Inc., AMCO Properties, L.L.C., David Pierce; Crain Zamora Construction Co., and Crain Zamora, L.L.C.*; In the County Civil Court at Law No. Four (4) of Harris County, Texas; Cause No. 950,442. Defended general contractor, Crain Zamora, LLC while demanding and, ultimately, procuring defense and indemnity for the client from the subcontractor. Ultimately, the matter was resolved and all settlement costs and attorneys' fees were satisfied by subcontractor with no out-of-pocket expenses being incurred by client.
- Successfully defended numerous Texas Valley Independent School Districts and Governmental Municipalities against personal injury suits arising from vehicle accidents.
- Civil Action No. 03-CV-3970; *Charter Adjustments Corporation v. Key Equipment Finance*. Successfully brought suit to collect for unpaid commission fees resulting from a sale of two (2) construction cranes.
- AAA Matter No. 70-198-00681-02; *Modec International, LLC v. Delta Engineering Corporation*. Successfully defended maritime contractor in construction litigation seeking excess of \$2,000,000.00 in damages.
- Obtained complete defense verdict in Phoenix, Arizona for employer defending against former disgruntled employee who sought unpaid commissions totaling over \$100,000. Following arbitration, the employee's claims were entirely dismissed and fees were assessed against employee.
- Represented maritime subcontractor in a federal court lawsuit against a general contractor who failed to pay for delay damages, standby charges and numerous change orders. Damages for both parties exceed \$30 million.
- Successfully defended and negotiated over twenty-five (25) toxic tort disputes involving product liability claims resulting from allegations that a client's product contained benzene, benzene byproducts and derivatives.

News & Publications

- Salty Medical Bills? Applying *Haygood v. de Escabedo* to Admiralty Cases in Texas, *Texas Lawyer*, August 2011

Seminars & Presentations

- "Avoiding and Resolving Extra Work and Delay Claims: Practical Strategies for Creating Realistic Work Schedules, Dealing with Delays and Resolving Overage Costs", American Conference Institute, Construction Litigation, Orlando, FL, February 29-March 1, 2012

Joshua N. Bowlin, *Continued*

- "Covering Your Assets: How to Make Sure the Accountant Being Sued Is Not You", Houston 34th Annual Tax and Business Planning Seminar, November 2011

Professional Affiliations

- American Bar Association
- Texas Bar Association
- Houston Bar Association
- Houston Young Lawyers Association
- Young Professionals in Energy
- Construction Law Section of Litigation

