



Mark R. Becker | Shareholder
mbecker@fwhtlaw.com

Practice Areas

- Construction
- Commercial Litigation
- Public Bidding and Procurement
- Arbitration and Mediation

Education

J.D., University of Iowa College of Law, high distinction, 2000

Merit Fellow

Recipient of the Faculty Scholar Award

Member of the Iowa Law Review

B.S., Northwestern University, McCormick School of Engineering, degree in Civil Engineering, cum laude, Tau Beta Pi, 1997; emphasis in structural engineering and construction management, including critical path method scheduling.

Contact

+ 612.359.7620 T
+ 612.359.7602 F

LaSalle Plaza
800 LaSalle Avenue
Suite 1900
Minneapolis, MN 55402
(ph.) 612 359 7600

Representative Matters

Delay, Disruption and Acceleration: Prosecuted and defended numerous claims for additional compensation and time extensions for delay, disruption and acceleration arising out of projects to construct stadiums, commercial facilities, refineries, power generator plants, condominiums, universities, schools and bridges.

Payment Claims: Prosecuted and defended mechanics lien claims, payment bond claims, trust fund claims, and other forms of payment claims for contractors, subcontractors, suppliers, fabricators, owners and developers.

Construction Defects: Prosecuted and defended numerous construction defect claims.

Construction Accounting Issues: Prosecuted and defended claims involving construction accounting issues such as questions of the allowability of claimed costs on cost-plus type contracts, breach of fiduciary claims, fraud, lien waiver issues and other construction accounting issues.

Project Counseling and Dispute Mitigation: Frequently counsels construction industry clients during the course of ongoing projects to help manage risks, reach early settlements, and to aid in mitigating disputes.

Contract Drafting and Negotiation: Drafted and negotiated construction contracts, design contracts, design/build contracts, construction management contracts, subcontracts, change orders, and settlement agreements for many construction projects.

Publications and Speeches

Speaker, "Prompt Pay for the Residential Construction Industry in Minnesota," Builders Association of Minnesota (December 9, 2009).

Actively Manage Your Delay Claims, Construction Bulletin (February 16, 2009).

A Critique of Best Value Contracting in Minnesota, 34 William Mitchell Law Review 25 (2007), co-authored with Dean B. Thomson and Jeff Wieland.

Speaker, "Do's and Don'ts of Construction Contracts," Minnesota Construction Expo (November 1, 2007).

Speaker, "Tricks, Traps and Ploys Used in Construction Scheduling," St. Paul, Minnesota (October 31, 2007).

Knowledge Is Power: Freedom of Information Act Requests can Help Contractors get Valuable Information, *Insulation Outlook*, October 2007, at 30, 32.

Speaker, "Engineering and Construction Law," North Dakota ACEC (April 11, 2007).

Speaker, "Construction Delay Claims," Itasca, Illinois (July 13, 2006).

Speaker, "Comprehensive Construction Law," Oak Brook, Illinois (May 4, 2006).

Speaker, "Construction Delay Claims," Itasca, Illinois (January 26, 2006).

Responsible Use of Computer Technology by Engineers, *American Society of Civil Engineers Journal of Professional Issues in Engineering Education and Practice*, April 2004, co-authored with Ty D. Laurie.

Basic Copyright for Engineers, *Structure*, December 2001/January 2002, at 40-41, reprinted in, *Midwest Engineer*, November/December 2003, at 10.

Judicial Scrutiny of Expert Testimony by Engineers, *Construction Lawyer*, July 2000, at 37, co-authored with Paul M. Lurie.

Streamlining the Federal Trademark Dilution Act to Apply to Truly Famous Marks, 85 *Iowa Law Review* 1387 (May 2000). Honored as one of five finalists in the nationwide Ross Student Writing Contest, co-sponsored by the ABA Journal Board of Editors and the Section of Legal Education and Admissions to the Bar.

Professional Activities

Member, American Bar Association, Forum on the Construction Industry
Member, Minnesota Bar Association, Construction Law Section
Associate Member, American Society of Civil Engineers

Admissions

Minnesota

Illinois

United States District Court, Minnesota

United States District Court, Northern District of Illinois

Eighth Circuit Court of Appeals