



# Brian D. Solomon

## Partner

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Brian joined Kirwin Norris, P.A. in May 2020. He began his training in construction law in 1987 as a law clerk and later as a partner with a notable construction law author and practitioner in Gainesville, Florida. Since admission to the Florida Bar in 1989, he has represented contractors, subcontractors, developers, suppliers and owners in contract negotiation and preparation, construction defects, bid protests, construction lien and surety litigation, payment disputes, insurance coverage disputes, including workers compensation insurance premium disputes and premium fraud claims, OSHA actions, general civil litigation, counseling clients with ongoing construction projects and representing construction clients in Chapter 11 bankruptcy reorganizations. Brian has litigated cases in 20 different Florida counties and cases in Travis County, Texas, United States District Courts in the Northern, Middle and Southern Districts of Florida, the Southern District of Georgia, the Northern District of Alabama, as well as the United States Bankruptcy Courts for the Middle and Southern Districts of Florida.

Married for 37 years and father of three adult children. Lifelong member of the Church of Jesus Christ of Latter-Day Saints and served a full-time mission in Guatemala, Central America from 1981-1983 where he learned Spanish and Quiche, an Indian dialect, and as Bishop of the Goldenrod Ward in Orlando, Florida from 1999-2003. Enjoys basketball, gardening, wood-working and genealogical research.

## Professional Experience

### Speaking Engagements

- Uncovering Premium Fraud, Hartford Insurance, 1994.
- Big Tony's Construction Project: a Bronx Tail (Ethics), Florida Bar Construction Law Certification Course, 2007.
- Case Law Update, Florida Bar Litigation Subcommittee of Construction Law Committee, April, 2020.
- Common Law Excuse of Performance: Historical Perspective to Modern Events: Florida Bar Litigation Subcommittee of Construction Law Committee, July, 2020.

### Representative Experience

- **General Contractor v. Framing and Stucco Subcontractor**
  - Orange County, Circuit Court - Represented drywall and stucco subcontractor for non-payment on three (3) high rise condominium projects, two (2) attractions at Walt Disney World's Animal Kingdom and the resulting counterclaims.
- **Paving Contractor (Prime) v. Electrical Subcontractor**
  - Broward County, Circuit Court - Represented electrical subcontractor for non-payment and resulting counterclaim in connection with rewiring and replacement of runway lights for Fort Lauderdale International Airport.
- **Owner v. General Contractor**

- AAA Arbitration - Defended general contractor on several construction defect and water intrusion claims relating to construction of several different apartment complexes.
- **Insurance Organizations v. Publicly Traded Corporations, Associated Entities and Individuals**
  - Successfully litigated Federal RICO cases and collected for insurance companies nearly \$10 million in damages for insurance fraud, in various courts, including Travis County Circuit Court in Austin, Texas, United States District Court, Northern District of Alabama, Birmingham Division, and Fifteenth Judicial Circuit, Palm Beach County, Florida.

## Community Experience

- Board Member, City of Melbourne, Florida, Zoning Board of Adjustment, 2019-present.
- Board Member, Space Coast Early Intervention Center, 2019-present.
- Commissioner, Osceola County, Florida Planning Commission, 2009-2016.
- Adjunct Professor, Paralegal Studies, Valencia College, Spring and Summer Semesters, 2005; Civil Litigation I and II, Legal Technology and Business Organizations.
- Bishop, The Church of Jesus Christ of Latter-Day Saints, Orlando, Florida Stake, Goldenrod Ward, 1996-2000.

## Practice Areas

- Alternative Dispute Resolution
- Construction Contract Drafting, Procurement & Project Delivery
- Construction Defect Claims
- Construction Delay, Disruption & Acceleration Claims
- Construction Insurance Coverage Disputes
- Construction Lien Preparation & Litigation
- Construction Litigation

- Construction Regulation & Licensing Compliance
- Payment & Performance Bond Claims