



## Matthew D. Peng

### PARTNER

San Francisco

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### RELATED SERVICES

- Construction
- Transportation
- Trucking
- Construction Professionals
- Maritime

### OFFICES

- San Francisco

### OVERVIEW

There are many different paths to getting good results on any legal matter, so Matthew Peng focuses on what is truly important to his clients. One of Matthew's primary focus is working with his clients on finding solutions to their legal problems. Whether that is through negotiating solutions prior to litigation, or formulating resolution strategies in the midst of litigation. Matthew has helped his clients avoid lengthy and costly litigation throughout his career.

In cases where early resolution cannot be reached, Matthew has helped his clients obtain favorable results as the lead lawyer through pinpoint discovery, focused motion practice, and methodical evidence presentation at trial and arbitration hearings. Matthew served as the lead trial lawyer in a bench trial for a multibillion-dollar developer in a termination and mechanic's lien dispute in California. Matthew was first chair in an arbitration representing a national infrastructure company in a payment dispute against the California Department of Transportation. Matthew also second chaired multiple arbitrations in San

Francisco and New York representing a national infrastructure engineering and design firm.

Matthew has represented a variety of companies and professionals in the construction industry, including developers, general contractors, design professionals, and specialty subcontractors. Matthew has litigated disputes arising out of public works projects and private-public partnership projects, as well as defended and prosecuted payment disputes, quantity-overrun claims, mechanic's lien issues, and construction-defect matters. Matthew's transactional experience include providing extensive contract drafting and review for a leading commercial supplies and equipment company. He also guides his clients through insurance-related matters such as errors and omissions coverage, indemnity and defense obligations, and policy coverage requirements.

Matthew represents transportation clients and has extensive experience defending transportation brokers in both intra-state and interstate transportation. Matthew has dealt with a broad variety of issues that are pervasive in the transportation industry, including limitation of liability, negligent hiring and retention, vicarious liability (principle-agent and employer-employee claims), nondelegable duty, tracking and fines, and accident reconstruction. Matthew has also successfully represented maritime clients. Matthew obtained an early dismissal for an international ship operator in federal court. He has experience in all aspects of maritime litigation, in both federal and state courts, and has served on litigation and trial teams representing Fortune 500 Companies. Matthew has also been successful in appeals, helping his clients overturn wrongfully decided issues at the trial court level.

During law school, Matthew served as a senior editor on the UC Davis Law Review, and clerked for a superior court judge in San Francisco. Also during law school, Matthew obtained externships at several federal agencies, including the Federal Trade Commission, Equal Employment Opportunity Commission, and the United States Department of Labor. Matthew has been invited by the American Bar Association and the Bar Association of San Francisco to speak on various topics, including wrongful termination on a construction project, construction delays, COVID impacts, and labor shortage.

## PUBLICATIONS

*50-State Survey of Licensed Design Professional's Stamping and Sealing Obligations*, ABA Forum on Construction Law – Division 3 – Design, Contributor for California (First Edition, April 2018)

*Diggin' Ain't Easy: Remember to Give Notice Before You Excavate in California*, GRSM Construction Law Blog (February 8, 2018)

*Learning from the Mistakes of Others: Follow the Claims Procedure in Public Contracts*, ProNet News (June 2016)

*Maddern v. Workers' Comp. Appeals Bd.* (2014) 79 Cal.Comp.Cases 575 (writ denied)

## PRESENTATIONS

*In the Trenches with Your Experts on Construction Disputes: Inception to Deposition*, Panelist, America Bar Association Live Webinar (February 27, 2023).

*Termination, Job Completion, and Contractor Payment*, Speaker, ABA Forum on Construction Law, Regional Program in Los Angeles (December 2021).

*COVID Impacts & Current Construction Trends*, Speaker, AGC of California Monthly Meeting (June 2021).

*Termination, Job Completion, and Contractor Payment*, Speaker, ABA Forum on Construction Law, Virtual Conference (February 2021).

*A California Construction Law Update*, Speaker, Bar Association of San Francisco (August 2020).

*How is COVID-19 Affecting the Construction Industry?*, Speaker, Bar Association of San Francisco (April 2020).

*Delay Analysis and Why It Matters*, Speaker, Bar Association of San Francisco (August 2019).

*Construction Law Ethics – Ethically Navigating Construction Project Relationships and Stakeholder*, Moderator, Bar Association of San Francisco (February 2019).

## CREDENTIALS

### Admissions

- California

### Memberships

- Forum on the Construction Industry, American Bar Association
  - Chair, Young Lawyer's Division
- Construction Law Section, Bar Association of San Francisco (Barristers Club)
  - Past Co-Chair
- Construction Practice Area Committee, California Lawyers Association
  - Past Steering Committee Member
- Past Board Member, Richmond District YMCA

## **Education**

- J.D., University of California, Davis School of Law, 2013
  - *Law Review*, Senior Articles Editor
  - Public Service Certificate
  - Pro Bono Certificate
  - Asian Pacific American Law Student Association
  - La Raza Law Student Association
- B.A., *cum laude*, Economics, San Jose State University, 2009

## **Honors**

- *Best Lawyers in America*® Ones to Watch distinction in Construction Law (2021-2025)