



## R. Scott Norman

### PARTNER

Louisville

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### RELATED SERVICES

- Construction
- Employment
- Structural Steel
- Commercial Litigation
- Real Estate
- Construction Professionals

### OFFICES

- Louisville
- Los Angeles
- San Diego
- San Francisco

### OVERVIEW

R. Scott Norman is an experienced litigator and a member of the Construction, Commercial Litigation, Employment Law, and Real Estate practice groups. He has a diverse national practice representing and counseling businesses and individuals on a wide variety of commercial and construction disputes, contract negotiations, employment counseling and disputes, risk management, and complex litigation in state and federal courts, before arbitration panels, and before administrative agencies. Scott values building close client relationships and brings an unconditional commitment to providing his nationwide clients with prompt and strategic professional services to achieve favorable and cost-effective outcomes.

## Construction

As the son of a third-generation contractor, Scott applies the hard-working values and practical experience he gained growing up on construction sites to assist contractors, suppliers, steel fabricators, and other members of the construction industry in all phases of construction. Scott regularly handles construction and design claims and litigation, payment disputes, workplace injuries and OSHA violations, mechanics' liens and bond claims, defective construction claims, the equitable adjustment of contracts, change orders, project delays and other construction disputes. He also regularly advises clients on all construction-related contract negotiations and drafting construction documents including, upstream and downstream agreements on large-scale commercial, residential, and public projects. Prior to joining GRSM, Scott's practice focused on defending contractors and design professionals against allegations of construction defects and professional negligence involving small and complex commercial and residential projects.

## Real Estate

Scott also handles real estate litigation matters of every type and scope, including CEQA litigation, the prosecution and defense of unlawful detainer actions, breach of lease actions, easement disputes, boundary disputes, wrongful eviction actions, reformation actions, purchase and sale agreement disputes, land use disputes, and actions brought under the Americans with Disabilities Act.

## Employment Law

In addition to his construction and real estate practices, Scott advises businesses and construction-industry clients regarding numerous labor and employment issues, including the creation and implementation of employment handbooks and policies, internal workplace investigations, engagement of independent contractors, terminations, compliance with wage and hour laws, and other general employee-employer relations. He successfully defends clients against Title VII of the Civil Rights Act of 1964, Americans with Disabilities Act, Age Discrimination in Employment Act, Fair Labor Standards Act, and various other federal and state law claims. Additionally, Scott advises regarding non-competition and non-solicitation matters, employment agreements, separation agreements, and other transactional employment-related issues.

## Commercial Disputes

Scott's diverse practice has allowed him to develop substantial experience managing and resolving a wide range of commercial litigation matters, including personal injury, civil rights, defamation, trade secret misappropriation, unfair competition and consumer legal remedies, fraud, contract disputes,

contractual indemnity, and other complex litigation issues. His knowledge of commercial law makes him a versatile and effective litigator and advocate.

## REPRESENTATIVE EXPERIENCE

- Successfully defended numerous claims of professional negligence against architects, engineers and land surveyors in residential, commercial and public works construction disputes and litigation.
- Drafted and negotiated multi-million dollar contracts on behalf of owners, contractors, subcontractors, and suppliers.
- Represented both landlords and tenants in residential and commercial lease negotiations, premises liability matters and landlord-tenant disputes.
- Defended employment claims against contractors and design professional firms involving discrimination, wage and hour violations, retaliation, wrongful termination and trade secret misappropriation.
- Experience defending and advancing the claims of builders and contractors in multimillion dollar residential and commercial construction disputes and litigation.
- Successfully represented homeowners and land surveyors in residential encroachment and easement disputes.
- Counseled contractor and design professional clients on entity formation and corporate governance, contract negotiations, preventative risk management and establishing employment policies and procedures.
- Experience defending construction clients in premises liability litigation, personal injury matters and violations of the Occupational Safety and Health Act (“OSHA”) and its state law equivalents.
- Secured summary dismissal of real estate agent accused of fraud in the marketing and sale of residential property.
- Obtained a seven-figure settlement on behalf of a steel contractor wrongfully terminated on a project involving the construction of an oil storage terminal in South America.
- Successfully represented a steel fabricator against claims from its erector who abandoned the project and obtained large six-figure arbitration award against the erector for breach of contract.
- Obtained seven-figure settlement on behalf steel contractor wrongfully terminated on a large-scale public improvement project and successfully converted the termination for default into one for convenience.

## Published Opinions

- *Preserve Poway v. City of Poway* (2016) 245 Cal.App.4th 560

## PRESENTATIONS

- *Heffalumps & Woozles: "Beware! Beware! Be a Very Wary Bear!" OSHA Lessons Learned*, GRSM Steel Fabricators Webinar (June 13, 2023)
- *You Can't Always Get What You Want – How to Get What You Need in Upstream Contracts*, GRSM Steel Fabricator Webinar (March 14, 2023)
- *The Times They Keep A Changin' – Staying Current to Avoid Sinking Like a Stone. A look at recent developments in the construction industry*, 2022 Pacific Northwest Steel Fabricator Association Annual Conference, Sunriver Resort, Sunriver, OR (September 23, 2022)
- *I've Got a Bad Feeling about This: What You Can Do to Avoid Having that "Bad Feeling" when You Are Trying to Collect Change Orders?*, GRSM Steel Fabricators Webinar (September 7, 2021)
- *Keeping OSHA Out of Your Bank Account*, GRSM Steel Fabricators Webinar (September 10, 2020)
- *14 Contract Terms You Should Look for in Every Contract Before You Bid (Or Sign) so That You Can Avoid Saying, "I've Got a Bad Feeling About This!"*, GRSM Steel Fabricators Webinar (April 2, 2020)
- *I've Got A Bad Feeling About This: What Can You Do To Avoid Having That "Bad Feeling" When You Are Trying To Collect Changes?*, 2019 Pacific Northwest Steel Fabricator Association Annual Conference, Sunriver, OR (September 20, 2019)

## CREDENTIALS

### Admissions

- California
- Kentucky
- U.S. District Court, Southern District of California
- U.S. District Court, Western and Eastern Districts of Kentucky

### Memberships

- American Bar Association, Forum on the Construction Industry
- California Bar Association
- Kentucky Bar Association, Sections on Construction & Public Contract Law (Chair 2020 – 2021), Labor & Employment Law, and Real Property Law
- Louisville Bar Association, Section on Labor & Employment Law

### Community Involvement

Prior to practicing in Louisville, Scott served as a volunteer attorney handling guardianship matters for the San Diego Volunteer Lawyer Program. He also frequently represented low income residents and members of the homeless community in San Diego in several significant civil rights matters on an individual and class-wide basis. In two notable cases, Scott successfully defended a local church's First Amendment right to practice its religion by feeding the homeless on its premises, and served as co-counsel with the

ACLU on a successful federal class action lawsuit brought on behalf of homeless people for the confiscation and destruction of their personal property.

**Education**

- J.D., California Western School of Law, 2007  
- *California Western Law Review and International Law Journal*, Associate Writer
- B.A., Communication and Media Studies, California State University Northridge, 2003

**Honors**

- Adrienne Baker Fellowship for Public Service (2009)
- Wiley W. Manuel Award for Pro Bono Legal Services (2014)