



# Brian Donnell

*Partner*

*New Haven*

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## Education

- Boston College Law School, *Cum Laude*; *Uniform Commercial Code Reporter-Digest*, Editor-in-Chief, JD
- Trinity College, BA

## Practices & Industries

- Commercial Litigation
- Construction & Surety
- Health Care Controversies
- Professional Liability
- Tax Credits

## Admitted to Practice

- Connecticut

## Court Admissions

- US Court of Appeals for the Second Circuit
- US District Court for the District of Connecticut
- US Supreme Court

## Biography

With over 35 years of legal experience, Brian primarily concentrates his practice on design, construction, and business litigation in state and federal courts as well as jury and non-jury matters and class-action and multi-party matters. He is certified by the American College of e-Neutrals and has extensive experience handling appeals, administrative proceedings, arbitrations, mediations, and ADR procedures.

Brian routinely handles matters involving breach of contract, fraud, tortious interference with business expectancy, negligence, misrepresentation, products liability, design professional liability, franchise terminations, civil RICO, unfair trade practices, and equitable causes of action and remedies, such as injunctions. He also serves as outside counsel to numerous business and public and charitable entities on a broad range of corporate, contract, and trade regulation issues and advises companies on electronic document retention and forensic recovery matters.

## Bar Associations

- American Bar Association, Construction Industry Forum Member
- Connecticut Bar Association, Commercial Law and Bankruptcy Section Member and Former Construction Law Section Executive Committee Chair

## Selected Memberships & Affiliations

- American Arbitration Association, Commercial and Construction Panels of Neutrals, Member; Former Appointed Arbitrator Faculty for "Best Practices for New Arbitrators" and "Managing the Arbitration Process" Training Seminars

## Representative Experience

- Represented a health care insurer in challenging \$100 million worth of health care charges assessed against payors.
- Represented a health care insurer in defeating claims by a pharmacy chain of antitrust and unfair competition violations in an expedited injunction hearing in federal court.
- Represented a defendant corporation in electing to buy out minority shareholders at a 20 percent discount while defeating all claims of shareholder oppression and waste.
- Represented a manufacturer land owner in obtaining equitable relief against an adjoining owner for future groundwater contamination.
- Represented a phenolic foam roof-insulation manufacturer in defending RICO and products liability claims to reach a nationwide class settlement.
- Represented a curtain wall and window manufacturer in successfully defending against multi-party claims of defective design and manufacturing.
- Represented a university in pursuing a design-defect claim for a failed natatorium roof and curtain wall connection system.
- Represented a hospital in defeating multiple claims for delay and extra work on a \$90 million new facility.
- Represented a municipality in defeating a bid challenge by a disappointed bidder and making new law.
- Represented an owner of a new retail store in defeating a contractors' claims for extra work in excavating a 200-foot rock face. Prevailed on counterclaims for twice as much as the original claims based on a geotechnical battle of the experts.
- Represented many architectural and engineering designers in defeating claims of professional negligence across a wide range of projects and circumstances.
- Represented an architect against a municipality that breached in bad faith a mediation settlement. Recovered the full amount of the settlement plus interest, attorney's fees, expert's fees, and arbitration costs.
- Represented a disappointed bidder in obtaining \$1 million against another bidder on an airport runway project where "sham" employees were utilized to evade subcontractor listing requirements and that tortiously interfered with business expectancies.
- Represented a specialty trade contractor against a general contractor in collecting a \$2 million award for extra and delayed work on a health care project.
- Represented a specialty trade contractor against a construction manager in collecting a \$2 million award for

unforeseen conditions and engineering deficiencies on a large “fast track” site contract.

- Represented a general contractor against an owner in obtaining a \$1 million award for extra and delayed work.

## Prior Experience

- LeClairRyan, Member
- Thelen LLP, Member
- Halloran & Sage LLP, Partner

## Selected Honors

- *The Best Lawyers in America*®: Construction Law, 2010–2024; Litigation – Construction, 2011–2024; Commercial Litigation, 2013–2023
- Martindale-Hubbell AV Preeminent Peer Review–Rated for Preeminent Ethical Standards and Legal Ability, 2003–2023
- Selected to *Super Lawyers* Connecticut: Construction Litigation, Business Litigation, and Business/Corporate, 2006–2020

## Selected Media

- *Connecticut Lawyer Magazine*, Advisory Committee Member
- *News-Times*, "Judge Upholds \$16.8M Verdict Against Danbury in Party Depot Case, Orders City to Pay Interest"
- *Connecticut Law Tribune*, "\$17 Million Danbury Verdict Survives Motion to Set Aside"