

ATTORNEY

J. David
Arkell



David's area of practice is construction law, and particularly arbitration and mediation of construction disputes. David has practiced law for more than 40 years and has regularly dealt with disputes regarding delays, differing site conditions, damages, inefficiency, contract interpretation and breach, surety and insurance issues, construction and design defects, mechanics' liens and bond claims, and other issues.

David is a sole arbitrator, chairman, and panel member in construction disputes involving delays, scheduling, inefficiencies and loss of productivity, changes, unforeseen conditions, construction and design defects, termination, damages, contract interpretation, and many other factual and legal issues arising from construction disputes. Size of disputes arbitrated ranges from several tens of thousands to tens of millions of dollars.

David has mediated and arbitrated a multitude of disputes throughout the Rocky Mountain region in cases involving stakes from the mid five figures to the high seven figures. He is highly trained in alternative dispute resolution, and written and spoken on the topic (and many other construction-law topics) to bar associations, trade groups, legal educational organizations, and in other seminars for clients, construction professionals, and other groups. David is a member of the American Arbitration Association's regular panel of arbitrators and its national panel for large and complex cases and is on the AAA's Colorado Mediation Panel. He also accepts arbitration and mediation cases as a "private" ADR neutral.

- [View David's Arbitration Resume](#)
- [View David's Mediation Resume](#)

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AREAS OF CONCENTRATION

Advanced Energy
Arbitration and Mediation
Commercial and Retail
Construction
Construction
Energy Construction
Food and Agriculture
Construction
Health Care Construction
Industrial Construction
Litigation and Advocacy
Multifamily Housing and Condo
Construction
Public-Private Partnerships (P3)

EDUCATION

University of Colorado, J.D.,
Colorado Law Review
Claremont McKenna College, B.A.

PUBLICATIONS AND ARTICLES

- Author
"Uncertainty in Arbitration Agreements for Contracts"
ENR - Contractor Business Quarterly, October 2016

SPEAKING ENGAGEMENTS AND PRESENTATIONS

David has presented numerous seminars on construction law topics for clients, construction trade groups, and related construction organizations during his career. Topics include construction and design defects, delays, damages, differing site conditions, contracts, mechanics' liens, bonds, inefficiencies, scheduling, bid protests, and dispute resolution topics.

CREDENTIALS

5280 Magazine Top
Construction Lawyer
2015 - 2021

Best Lawyers®: Construction
Law and Litigation -
Construction, 2007 - 2021

Lawyer of the Year, Best
Lawyers®: Construction
Law Denver, 2012 and 2018;
Litigation-Construction Denver,
2015

Colorado Super Lawyer:
Construction - Litigation 2006 -
2010, 2012 - 2019; Alternative
Dispute Resolution, 2020

Chambers USA: Colorado Real
Estate: Construction, 2005 -
2014, 2017, 2019 - 2020

AFFILIATIONS

American Arbitration Association
National Construction Industry
Arbitration Panels for Regular
and Large and Complex
Cases; Construction Industry
Mediation Panel

American Bar Association,
Forum on the Construction
Industry

Associated General Contractors
of Colorado - Former Board
Member, Former member;
Associates Council Former
President

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Colorado Bar Association
Alternative Dispute Resolution
Section; Construction Law
Section, Former Chair
Colorado Legislative Committee
Denver Bar Association
Alternative Dispute Resolution
Section; Construction Law
Section, Former Chair

ADMITTED

Colorado State Courts
U.S. Court of Appeals for the
Tenth Circuit
U.S. District Court -
District of Colorado
U.S. District Court -
District of Nevada, pro hac vice
U.S. District Court -
District of Utah, pro hac vice
U.S. District Court -
District of Wyoming, pro hac
vice

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