

CLE BIOGRAPHICAL DATA

Name Benjamin Edward "Ned" Nicholson V

Firm Name Burr Forman McNair

Title (partner, member, etc.) Partner

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Please type, print or attach a complete narrative Bio to include educational background, SC Bar Activities, and other Legal Affiliations. Please see below:

Ned Nicholson practiced law with the McNair Law Firm for 29 years in its Columbia office, last serving a Chair of its Litigation Practice Group. On January 1, 2019, McNair Law Firm and Burr & Forman, an Alabama based regional law firm, combined and Mr. Nicholson is now a Partner with Burr & Forman, LLP, d/b/a Burr Forman McNair. A native of Edgefield, South Carolina, after his graduation from Wofford College and the University of South Carolina School of Law he served for two years as Judicial Clerk to The Honorable Thomas L. Hughston, Jr.

Mr. Nicholson is the Chair of the South Carolina Bar's Construction Law Section for 2019-2020. Mr. Nicholson has extensive lead counsel trial experience in state and federal trial and appellate courts throughout the country, primarily involving construction disputes, insurance coverage disputes, general commercial litigation, and intellectual property law. As part of his construction law practice, he has represented clients in hundreds of both construction disputes and construction contract negotiations for owners (including counties, cities, and school districts), contractors, subcontractors, design professionals and developers, the latter with a goal of avoiding future disputes.

Mr. Nicholson's construction-related representations include representations of: an owner of a discontinued nuclear power plant project that resulted in over \$300 million dollars in liens and related claims, a South Carolina county in its engineering malpractice lawsuit, a school district in a claim by a contractor for additional compensation, a Fortune 100 international company in a multi-million dollar dispute over dredging and treatment of contaminated materials, a Fortune 100 company in a construction defect lawsuit against the designer and builder of its manufacturing facility in South Carolina, numerous insurance coverage cases in South Carolina's federal and appellate state courts, and hundreds of other lawsuits, arbitrations, and mediations involving all aspects of construction claims including construction defects, delays, bonds, mechanics liens,

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involving hundreds of millions of dollars in dispute. He is also a South Carolina Supreme Court Certified Mediator.

In addition to Chair of the South Carolina Bar's Construction Law Section, Mr. Nicholson is a member of the South Carolina Bar's Trial and Appellate Advocacy Section, a member of the American Bar Association's Construction Law Forum, and a South Carolina representative of the Legal Action Network for Development Strategies of the National Association of Home Builders.

Mr. Nicholson has been repeatedly selected for inclusion in The Best Lawyers in America®, Commercial Litigation, Construction Law, and Intellectual Property Law and has been selected for inclusion in Super Lawyers® 2014-19. He was recognized by the Home Builders Association of South Carolina's *Builder News Network* for his work for the construction industry in 2011. He was an author of pioneering insurance coverage legislation passed by the South Carolina General Assembly to assist owners and contractors to retain CGL insurance coverage for construction defect claims.

His complete biography may be found at http://www.burr.com/attorney/benjamin-e-nicholson-v/?_sfm_first_letter_sort=N.

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