



Tyler T. O'Halloran

PARTNER

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PRACTICE AREAS

Construction Disputes
Professional Licensure & Defense
Outside General Counsel Services
Water Law Services

EDUCATION

J.D., The University of Texas School of Law (2012)

B.A., Journalism, The University of Texas at Austin (2007)

- University of Texas Swimming and Diving, Team Captain (2006-2007)

LICENSES & CERTIFICATIONS

Supreme Court of Texas

Admitted to U.S. District Courts for the Western, Eastern, Northern, and Southern Districts of Texas



Tyler is a creative and relentless advocate who simultaneously hates to lose and loves efficiency. He is always seeking to short-circuit a protracted battle. And he's **always seeking to win it.**

OVERVIEW

Losing has never been an option for Tyler O'Halloran. His competitive drive has propelled him throughout his life, and it's what makes him the lawyer his clients rely on when everything is on the line.

Tyler is a seasoned construction litigation lawyer with a diverse practice, representing design professionals, project owners, and contractors in highly complex, multiparty disputes. What ties all these very different clients together is Tyler's love of (and exceptional skill at) the adversarial and intricate process of dispute resolution.

Whether the situation involves an informal disagreement, a multi-week arbitration, or a full jury trial and appeal, Tyler is a creative and relentless advocate who, in his own words, simultaneously hates to lose, yet loves efficiency. He is always seeking to short-circuit a protracted battle. And he's always seeking to win it.

Although it has a competitive element, modern-day dispute resolution is almost never a zero-sum proposition. There's frequently no clear winner or loser, and one can devote enormous amounts of time, money, and effort to a contentious proceeding with no guarantee of the outcome. Facing that omnipresent risk, exceptional organization and long-term planning are fundamental to good legal representation. This is particularly true of more complex disputes that require a construction litigation team to handle them efficiently. When there are many moving pieces, Tyler typically serves as the leader whose role is to keep the wheels turning, to keep the team communicating and working effectively, and to make real progress toward the strategic goal. When a client presents a complex problem, Tyler's job is to break it down into its component parts and subparts, address each, and arrive at a resolution one part at a time.

In this context, his particular strength as a construction litigation lawyer is his mastery of technology, particularly with respect to eDiscovery. In document-intensive cases, Tyler focuses on the management of information as a

competitive advantage and, ultimately, a resolution strategy. If there's a way to shortcut a case through technology, Tyler will use it to his client's advantage, both keeping costs down and developing more comprehensive strategies that incorporate the full scope of discoverable information. Where many lawyers tend to run away from technology, Tyler pursues and embraces it.

For these reasons, Tyler is an especially effective, innovative negotiator who leverages the advantages of technology, as well as his extensive experience to resolve disputes efficiently, on terms that ultimately benefit his clients. Should a trial or arbitration hearing be unavoidable, he's an unrelenting force of a trial attorney who, from initial motion practice to verdict to appeal, represents his clients zealously and, typically, successfully.

In his spare time, Tyler is a UT sports fan, a busy father, and a connoisseur of live music of all kinds.

REPRESENTATIVE EXPERIENCE

- Successfully defended professional engineering firm to a take-nothing judgment after a nine-week virtual bench trial over general contractor's delay claims on wastewater treatment plant, including owner's attempt to pass through damages to engineer. (Trial judgment currently pending appeal.)
- Won partial summary judgment resulting in policy-limits pretrial settlement for municipal client against general contractor that installed defective sewer pipe. Separately negotiated pretrial eight-figure settlement with pipe manufacturer to support City's repair and replacement work.
- Obtained favorable arbitration award on behalf of design-builder of entertainment facility, where claimant alleged over \$100M in damages and final award found claimant entitled to less than \$1M.
- Litigated \$45M dispute for EPC contractor involving solar project in West Texas.
- Managed and negotiated eDiscovery parameters for complex litigation and arbitration on behalf of EPC contractor.

- On behalf of owner clients, managed closeout and negotiated lien releases for payment claims on several projects.
- Negotiated closeout and dismissal of federal court litigation on behalf of government contractor faced with multiple downstream lien allegations due to fraudulent subcontractor's misappropriation of funds.
- Negotiated favorable resolutions on behalf of owner in disputes related to civil engineering design defects and associated certificate of occupancy complaints with local municipality and surrounding owners.
- Negotiated multiple favorable resolutions on behalf of architects and engineers faced with complaints to the Texas Board of Architectural Examiners and Texas Board of Professional Engineers and Land Surveyors.
- Obtained multiple dismissals on behalf of design professionals in Texas state court based on claimants' failure to adhere to certificate-of-merit requirements of Texas Civil Practice and Remedies Code Chapter 150.
- Obtained favorable dismissal on behalf of architect after compelling underlying owner-contractor dispute to arbitration while abating ongoing lawsuit claims against architect.
- Obtained full dismissal of Texas Board of Architectural Examiners complaints against architects where claimant filed complaints as means to generate leverage in ongoing litigation.

PRESENTATIONS & PUBLICATIONS

- Preparing for Tomorrow's Corporate Data Today
Co-presented at the Everlaw Summit (October 2023)
- Climbing the Construction Dispute Data Mountain
Austin Bar Association Construction Law Section (September 2023)
- Finding the Story Between the Lines: Emerging Technology Session
ALM LegalWeek (March 2023)
- ShareFile Use to Manage Expert Witness Documentation
Allensworth Tacos & Teach CLE Series (January 2022)
- Virtual Proceedings
Allensworth Tacos & Teach CLE Series (May 2021)
- Hi, Lawyers. It's Technology, We Need to Talk
State Bar of Texas Construction Law Conference (March 2021)
- Signed, Sealed, Delivered...and Sued: A Summary of Design Professional Liability
State Bar of Texas Basic Course in Texas Construction Law (November 2020)
- Arbitration Hearings by Zoom – What to Consider
Allensworth Tacos & Teach CLE Series (September 2020)

- Transitioning to Virtual Legal Practice in Response to the COVID-19 Pandemic
Everlaw Webinar (April 2020)
- Risk Management for Design Professionals
HalfMoon Education: Managing Engineering Liability and Risk Seminar (January 2019)

INDUSTRY INVOLVEMENT

- State Bar of Texas, Construction Law Section | Member (2017-Present)
- State Bar of Texas, Computers and Technology Section | Member (2018-Present)
- State Bar of Texas, Litigation Section | Member (Present)
- State Bar of Texas, Appellate Law Section | Member (Present)
- State Bar of Texas, Environmental and Natural Resources Section | Member (Present)
- Austin Bar Association, Construction Law Section | Board Member (2018, 2022-2024)
- Austin Bar Association, Austin Young Lawyers Association | Member (2012-Present)

AWARDS

Super Lawyers by Thompson Reuters

- Rising Stars – Texas (2020-2023)

Best Lawyers by BL Rankings

- Construction Law – Austin Texas (2021-2024)
- Litigation: Construction Austin Texas (2024)

Austin Monthly's Austin Top Attorneys – Construction (2023)