

Benjamin J. Codog, III

Associate Attorney

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Practice Area(s): Business and Commercial Litigation, Construction

Overview

Ben Codog practices complex civil litigation throughout California State and Federal Courts, with an emphasis on construction law matters. He represents public entities, private owners, developers, general contractors, subcontractors, design professionals, and sureties on a wide range of issues within the construction industry, including, complex litigation matters.

Prior to joining Murphy Austin, Ben was a Senior Litigation Associate with Herum\Crabtree\Suntag, APC, where he served as outside counsel to public entities such as cities and counties, in high-value matters such as civil rights and employment defense. Ben also represented individuals and private entities in all aspect of civil litigation, and represented Chapter 7 Bankruptcy Trustees.

Ben received his B.S. in Finance from San Diego State University and he was named to the Dean's List. He was awarded his J.D., *with distinction*, from University of the Pacific, McGeorge School of Law, with concentrations in Business and Tax, where he was a member of *Traynor Honor Society*, was included on the Dean's List, and served as the Associate Editor for *The University of the Pacific Law Review*.

Representative Matters

- Represents clients in complex construction litigation matters, arbitration disputes, pre-litigation process, and mediation proceedings.
- Drafts, reviews, and revises construction contracts and negotiates settlements. Prepared and responded to pleadings, propounding and responding to written discovery, including motions to compel, taking and defending depositions, and law and motion practice before Federal and State courts, through trial and appeal.
- Served as outside counsel to public entities such as county and city counsel in high-value claims in all areas affecting public entities.
- Successfully represented public entities and their agents in multiple six and seven-figure settlements, including the largest settlement in an entity's history (\$8.25 million).



Memberships

- Sacramento County Bar Association, Construction Law Section

Bar Admissions

- State Bar of California
- U.S. District and Bankruptcy Courts for the Eastern District of California
- U.S. District Court, Northern District of California

Education

University of the Pacific, McGeorge School of Law J.D., *with distinction*, 2015
Traynor Honor Society, Dean's List; Associate Editor, *The University of the Pacific Law Review*; Business and Tax Concentrations

- Successfully defended agriculture business client in a \$1.4 million option agreement through appeal.
- Successfully represented multiple public entity clients in California Water Curtailment Cases.
- Successfully represented public and private entity clients in premises liability cases.
- Defended public and private entity clients in employment-related claims, including sexual harassment, sexual assault, discrimination, retaliation, and hostile work environments.
- Served as counsel to a large port and numerous water districts in their general commercial litigation and employment matters.
- Represented civil and business litigation clients including individuals, private business entities, and public entities (e.g., cities, counties, ports, and water districts) in a variety of industries, including agriculture and farming, general business, finance and lending, hospitality, real estate development, trucking and transportation, trust and estate, water, and wine.
- Represented clients in complex business matters include corporate, LLC, and partnership disputes; business torts such as breaches of contract and fiduciary duties, fraud and misrepresentation, tortious interference, unfair competition; consulting; and internal and external transactions, such as buy-outs, creditor and insolvency agreements, option and purchase and sale agreements, and wind downs.
- Represented clients in high-stakes civil litigation matters include bankruptcy, civil rights defense, eminent domain, employment-related claims, government tort claims, negligence and personal injury claims, property and water rights, premises liability, real property disputes, and wrongful death.

San Diego State University
B.S., Finance, 2011
Dean's List

Leadership

- Pro Bono Service: Prader-Willi Syndrome Association, California Foundation
- Pro Bono Service: San Joaquin County Bar Association, Executive Committee, Litigation Section
- Pro Bono Service: San Joaquin County Bar Association, Lawyer Referral Service

Publications

- [“Construction Update: California Warns Act Quickly Against Unlicensed Contractors,”](#) cowritten with [Lisa D. Nicolls](#) (July 2021)

