

PARTNER

J. Scott Alexander

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PRACTICE AREAS

Business and Commercial Litigation

Construction

Intellectual Property Litigation

Public Contracts

Real Estate

EDUCATION

University of the Pacific,
McGeorge School of Law
J.D., *with distinction*, 1997

Rhodes College
B.A., *cum laude*, 1993
Business Administration
and Economics

ADMISSIONS

California

LEADERSHIP

Board member of the
Rancho Cordova Chamber
of Commerce Board of
Directors (2011 to 2023);
Chairman of the Board
(2019-2022)

MEMBERSHIPS

American Bar Association

Construction Financial
Management Association

National Association of
Construction Auditors

OVERVIEW

Scott Alexander served as the managing partner of Murphy Austin from 2012 to 2024. Scott practices business and commercial litigation throughout all California state and federal courts, with a primary emphasis in construction and real estate litigation, public contracts and complex contract disputes.

Scott routinely represents public entities, private owners, general contractors, subcontractors, and architects and engineers on a broad array of issues within the construction industry, including contractor licensing matters, bid protests, prosecution and defense of impact, delay and disruption claims, defective construction claims, complex contract disputes, negligence and tort claims, false claims, and mechanics' lien, stop notice and bond claim actions. Scott has represented clients on numerous multi-million dollar disputes and complex cases involving airports, commercial structures, hospitals and healthcare facilities, hotels, jails and detention facilities, parks and recreational facilities, schools and educational facilities, sports facilities, railway projects, restaurants, transportation and other infrastructure projects, water/wastewater distribution projects and treatment facilities, and warehouses.

Scott's broad experiences on public (both state and federal) and private projects have provided him with critical background in the areas of design and engineering standards, construction management, construction means and methods, and the presentation and defense of construction claims.

During his legal career, Scott has attained considerable trial, writ, arbitration, and mediation experience. He has also appeared and submitted briefs before the California Courts of Appeal.

In addition to his litigation practice, Scott has significant experience drafting and negotiating all types of public and private project construction contracts, including design-build and energy service performance contracts, and related construction documentation across various construction project delivery systems.

Sacramento County Bar
Association, Construction
Law Section and Civil
Litigation Law Section

Scott presently serves as general counsel to both a chamber of commerce and a travel and tourism organization located within the Sacramento region.

Scott received his J.D., *with distinction*, from the University of the Pacific, McGeorge School of Law in 1997. Prior to receiving his law degree, Scott facilitated municipal finance transactions and drafted related legislation for the California Housing Finance Agency. He graduated from Rhodes College in Memphis, Tennessee with a bachelor's degree in Business Administration and Economics.

Prior to joining Murphy Austin Adams Schoenfeld LLP in January 1999, Scott was an associate in the Business and Tort Litigation Group with Diepenbrock, Wulff, Plant & Hannegan, LLP.

Scott is recognized by Martindale-Hubbell as an AV Preeminent Peer Review Rated lawyer. He is listed in the 2024 and 2025 editions of *The Best Lawyers in America* for excellence in three practice areas: Construction Litigation, Commercial Litigation, and Real Estate Litigation. Scott is also listed in the 2020 through 2024 editions of *Northern California Super Lawyers* for excellence in construction litigation.

Scott is a frequent speaker and presenter on a wide array of construction and construction litigation related topics.

EXPERIENCE

Representative Matters

- Prosecuted to successful resolution a multi-million dollar direct cost and impact claim on behalf of a mechanical contractor arising from its modernization of an extensive truck load-out at a wastewater treatment facility.
- Represented electrical subcontractor in the successful prosecution of a multi-million dollar delay and labor productivity claim arising from the construction of a new baseball stadium.
- Represented contractor in the successful pursuit of multiple direct cost and impact claims arising from both water and wastewater treatment facility projects, including the defense of liquidated damage assessments and false claim allegations.
- Represented public owner of a metropolitan airport facility in the evaluation and successful prosecution of significant design and construction defect claims arising from a large renovation and expansion project.
- Represented municipality in the defense and, ultimately, the favorable resolution of a prime contractor's damages claim in excess of \$28 million arising from a wastewater treatment expansion project.
- Represented municipality in the successful defense of contractor claims for direct costs and impacts arising from construction of new parking structure.

- Represented private commercial facility owner in the successful resolution of construction defect claims arising from the facility's roofing system.
- Represented special district in the pursuit and successful resolution of both design and construction claims associated with a defective roofing system.
- Represented contractor on claims in excess of \$1 million against a subdivision bond subsequent to the project developer's default.
- Significant experience and success handling all aspects of the pursuit and defense of bid protests on California public works projects, including writ proceedings.
- Revised and drafted front end bid documents, including general conditions, on behalf of numerous local public entities throughout the State of California.
- Drafted and negotiated prime contracts and subcontracts representing hundreds of millions of dollars of public and private construction project work.

Speaking Engagements

- "Legal Updates – Insurance Practice Group Meeting," Insurance Broker Presentation, Sacramento (September 5, 2024)
- "2024 Construction and Employment/Labor Law Updates," Insurance Broker Presentation, Sacramento (February 14, 2024)
- "Legal Updates – Insurance Practice Group Meeting," Insurance Broker Presentation, Sacramento (August 17, 2023)
- "2023 Construction and Employment/Labor Law Updates," Insurance Broker Presentation, Sacramento (February 2, 2023)
- "Supply Chain Disruptions and How to Minimize Your Risk," CFMA Northern California Regional Conference, Napa (November 8, 2022)
- "2021 Construction and Employment/Labor Law Updates," Insurance Broker Presentation, Sacramento (February 2, 2021)
- "Back to Business: A Refresher on 2020 Construction Law Changes in the COVID-9 World," CFMA – Sacramento Chapter (virtual) (June 18, 2020)
- "COVID-19 and Construction: What to Expect?" Insurance Broker Presentation, Sacramento (virtual) (May 6, 2020)
- "2020 Construction and Employment/Labor Law Updates," Insurance Broker Presentation, Sacramento (January 30, 2020)
- "Construction Contract and Claim Primer," Insurance Broker Presentation, Sacramento (September 25, 2019)
- "Everything You Wanted to Know But Were Afraid to Ask About the Federal False Claims Act," CFMA Annual Conference, Lake Tahoe, (September 18, 2019)

- “2019 Construction and Employment/Labor Law Updates,” Insurance Broker Presentation, Sacramento (January 24, 2019)
- “2019 Construction Legal Update,” Construction Summit, Sacramento (November 6, 2018)
- “Construction Contract Primer,” Insurance Broker Presentation, Sacramento (October 18, 2018)
- “Construction Contract Basics and New Laws,” CFMA – Sacramento Chapter (July 19, 2018)
- “2018 Construction and Employment Law Updates,” Insurance Broker Presentation, Sacramento (January 25, 2018)
- “2017 Construction and Employment Law Updates,” Insurance Broker Presentation, Sacramento (January 18, 2017)
- “Hot Topics in Construction Law and Insurance,” Insurance Broker Presentation, Sacramento (July 12, 2016)
- “2016 Construction and Employment Law Updates,” Insurance Broker Presentation, Sacramento (February 17, 2016)
- “Construction Law Updates,” CFMA – Sacramento Chapter (January 2016)
- “California Public Works Primer: Key Issues from Beginning to End of a Project,” Insurance Broker Presentation, Sacramento (June 23, 2015)
- “A Construction Claims Primer: An Auditor’s Impact on the Claims Process,” 2015 National Association of Construction Auditors’ Annual Conference, Las Vegas (March 31, 2015)
- “What’s New? Construction Law Update and Legal Trends,” Insurance Broker Presentation, Sacramento (March 4, 2015)
- “Payment and Performance Bonds: The Fundamentals,” National Association of Women in Construction, Sacramento (February 12, 2015)
- “Are You Going to Vegas . . . Or Out of Business?: How to Get Paid on a Construction Project,” Insurance Broker Presentation, Sacramento (August 28, 2014)
- “A Construction Claims Primer: What Do You Do When A Good Project Goes Bad . . . Or A Bad Project Gets Worse?” Insurance Broker Presentation, Sacramento (May 22, 2014)
- “You Signed What? Issues Every Contractor Should Know . . . Before Signing the Contract,” Insurance Broker Presentation, Sacramento (March 20, 2014)
- “And the Winner Is . . . How to Maximize Your Opportunity for a Contract Award,” Insurance Broker Presentation, Sacramento (February 6, 2014)
- “Problematic Construction: Close Look at the Issues Facing Today’s

Contractor,” CFMA – Sacramento Chapter (October 28, 2013)

- “You Signed What? An Overview of Indemnity Language, Contract Clauses, and Claim Issues,” Insurance Broker Presentation, Sacramento (April 25, 2013)
- “Risk Management Primer: What Do You Do When A Good Project Goes Bad . . . Or A Bad Project Gets Worse?” In-House Contractor Presentation, Sacramento (April 12, 2013)
- “Indemnity and Contract Clauses,” CFMA – Sacramento Chapter (January 18, 2013)
- “Legal Issues, Claims and Dispute Resolution,” Bonding Workshop (December 6, 2012)
- “Managing Construction Claims: What Do You Do When a Good Project Goes Bad, or a Bad Project Gets Worse?”; 2012 National Association of Construction Auditors Annual Conference (September 17, 2012)
- “A Construction Claims Primer: What Do You Do When a Good Project Goes Bad...Or a Bad Project Gets Worse?”; Construction Financial Management Association, Sacramento Chapter (March 16, 2012)
- “California Construction Contracts: ‘Battleground’ Clauses,” Construction Financial Management Association, Sacramento Chapter (September 16, 2011)
- “The 2012 Mechanics’ Lien/Collection and Insurance Primer: Stay Ahead of the Curve,” Sacramento, CA (September 15, 2011)
- “Survive & Thrive: New Legal Tools For Your Toolbox,” San Ramon, CA (July 27, 2011)
- “Survive & Thrive: New Legal Tools For Your Toolbox,” Stockton, CA (May 11, 2011)
- “Public Works Construction: The Successful Project Primer,” Placerville, CA (March 1, 2011)
- Panelist, 3rd Annual Business Outlook Breakfast, Rancho Cordova Chamber of Commerce, Rancho Cordova, CA (February 25, 2011)
- “Survive & Thrive: New Legal Tools For Your Toolbox,” Sacramento, CA (January 27, 2011)
- “Federal Construction Contracting: The Basics,” Sacramento, CA (April 13, 2010)
- “California Employment Laws & the Construction Industry,” Sacramento, CA (March 24, 2009)
- “California Employment Laws & the Construction Industry,” Sacramento, CA (November 11, 2008)
- “California Public Works/Construction Contracts from Bidding to Completion,” Lorman Education Services (July 2007, June 2006, and July 2005)

HONORS

- Listed in *The Best Lawyers in America*, Construction Litigation, Commercial Litigation, and Real Estate Litigation (2024-2025)
- Super Lawyer in *Northern California Super Lawyers*, Construction Litigation (2020-2024)
- *Sacramento/Sactown Magazine's* Top Lawyers List, Construction Law (2020-2024)
- *Sacramento/Sactown Magazine's* Top Lawyers List, Construction Litigation (2022)
- Fellow, Construction Lawyers Society of America
- AV Preeminent Peer Review Rating from Martindale-Hubbell