

KALAMAZOO

277 South Rose St.
Suite 6000
Kalamazoo, Michigan 49007
T: +1.269.383.5809
O: +1.269.381.7030
F: +1.269.382.0244

spurr@millercanfield.com

Services

Litigation and Dispute Resolution

Real Estate and Construction
Litigation

Real Estate

Commercial Real Estate Finance

Commercial Real Estate Finance
Workout, Foreclosure and
Litigation

Economic Development
Incentives

Financial Services

Intellectual Property

Trade Secrets and Non-
Competes

Industries

Construction

Financial Institutions

Higher Education

Education

Wayne State University Law
School, J.D.

University of Michigan, B.A.

Bar Admissions

Michigan



James E. Spurr

Of Counsel

James Spurr specializes in resolving disputes, from trials in state and federal court to arbitrations, mediations and facilitations.

Many cases involve real estate and development, construction projects, commercial transactions, contracts, and business deals gone awry. James has resolved many disputes between shareholders, partners, and issues involving corporate governance. James also has substantial experience in probate court where he has assisted families, trustees, and beneficiaries involving their rights in trusts and estates.

James has concentrated on claims arising from complex construction projects for more than 25 years. He has advocated for, defended against, and resolved claims involving corporate headquarters, manufacturing facilities, college and university buildings, public works projects, municipal parks, local schools, and athletic arenas. The claims range from interference and delay, lost productivity, defective buildings, design negligence, and serious accidents. His expertise has led him to speak before and serve on the faculties of major nationwide construction law seminars and industry symposiums.

In resolving disputes, James has come to master skills such as creativity and problem solving, effective negotiating, persuasive advocacy and writing, and the effective use of expert witnesses.

James E. Spurr

Representative Matters

Public and Private Construction Litigation

When a large west Michigan city built an expansion to its drinking water facility and was sued by the contractor for \$3 million in damages for delay of the project, Jim led the team defending the claim and counter-sued for damages with respect to poor workmanship. Utilizing high-technology CAD drawing demonstrations, which were regarded as highly persuasive and effective, their work led to a favorable settlement for the city of \$6.2 million. At that time, it was the largest settlement ever obtained for the city and represented nearly a \$10 million swing in the amounts of money in dispute between the parties.

Cultural Resources Real Estate Development and Litigation

A lighthouse and museum complex included on the National Register of Historic Places were threatened with having their operations drastically curtailed or closed altogether by their neighbors. Jim led the effort in federal and state court litigation defending a premier destination for education and cultural tourism. The resulting land use plan allowed the client to continue to operate all of its existing programs and by improving the surrounding habitat, actually expand its operations. The effort balanced environmental protection, historic preservation and education.

Native American Artifacts Recovery

When the Ounalashka Corporation (Tribe), of the Aleutian Islands, sought the return of its members' cultural artifacts, removed from burial caves during World War II, the return from a major university was negotiated and implemented without litigation even before a later federal law addressing such issues (NAGPRA) was enacted.

Teaching

Nazareth College, former Adjunct Professor; Business and Commercial Law and the Uniform Commercial Code

Honors

State Bar of Michigan Pro Bono Honor Roll, 2020-present

Best Lawyers in America, Construction Law, 2008-present; Commercial Litigation and Construction Litigation, 2012-present

Leading Lawyers, Commercial Litigation, Construction Law, Real Estate Law: Commercial, 2014-present

Wayne State University Law School, cum laude

University of Michigan, cum laude

Professional Activities

American Bar Association, Construction Litigation Committee

James E. Spurr

State Bar of Michigan, Construction Litigation Committee

Defense Research Institute

Construction Financial Management Association

Kalamazoo County Bar Association, Pro Bono Participant

Civic, Cultural & Social Activities

Great Lakes Shipwreck Historical Society, Member, 2006-present, Former Board President

American Sail Training Association, Board Member, January 2012-present

Michigan Maritime Museum, Committee Chair, 2009-present, Former Board Vice President

Lincoln Institute, Board Member, 2021-present

Michigan Commission on the Commemoration of the Bicentennial of the War of 1812, Appointed by Governor Granholm, February 2008-present

Hospice of Southwest Michigan, Volunteer, 2013-2016

Kalamazoo Institute of Arts, Former Member of the Board of Directors; Chair, Corporate Development Committee; Former Chair, Art Encounters

Pipp Foundation, Former Director

Western Michigan University, Advisory Committee for Construction Technology

Plainwell Area Chamber of Commerce, Former Director

ACT of Kalamazoo, Former Board Member

Pipp Community Hospital, Former Director and Board Chair

Plainwell Downtown Development Authority, Former Director and Chair

Speeches

"Under Construction: A Nuts and Bolts Update for Construction Industry Leaders," Miller Canfield, October 16th and 23rd, 2013

"The CPA as an Expert Witness: Effectively Working with Litigation Attorneys," Michigan Association of Certified Public Accountants, Novi, Michigan, June 2011

"Managing Construction Contract Risks," Michigan Association of Certified Public Accountants, Lansing, Michigan, October 2009; 2010

James E. Spurr

- "Important (and Troublesome) Construction Contract Provisions," Lamar Construction Company, December 8, 2006
- "How to Train Owner's Representatives on a Construction Site," Northern Michigan University, March 22, 2006
- "Enforceability of Non-Compete Agreements in the United States," Center for International Legal Studies (CILS) Litigation Conference, Alaska, April 2-8, 2006
- "Renewable Energy: Potential for Economic Growth," Emerging Tribal Economies, Traverse City, Michigan, August 2011
- "Models for a Successful Construction Project - You've Obtained the Financing; Let's Make the Most of It," 3rd Annual Madigan-Pinatore Management Seminar, Bay Mills, Michigan 7/14/05
- "Construction Seminar," Genesee County Division of Water and Waste Services, Flint, Michigan 2005
- "Relationships, Roles and Warning Signs on Public Construction Projects," (Panelist), Michigan Local Government Management Association Winter Institute, Grand Rapids, Michigan 01/27/05
- "Water, Sewer and Street Construction Projects" (what happens when a construction project goes bad!), (Panelist), U.P. City/County Managers' Fall Meeting, Ontonagon, Michigan 10/10/03
- "Custom Software Integrators," Construction Superconference, San Francisco, California 12/2000
- "Risks & Regulations of Jobsite Safety," Defense Research Institute, Construction Law Seminar, Phoenix, Arizona 1999
- "Warranties and the Design Professional," Defense Research Institute, Construction Law Seminar, San Antonio, Texas 1998
- "Claims Prosecution Agreements--the Apparent Advantages and Hidden Risks," National Construction Superconference, San Francisco 12/13/96
- "Warranties and the Design Professional," The Construction Superconference, San Francisco 1995
- "Construction Contracts: Recognizing and Avoiding Troublesome Provisions from the Perspective of College and University Owners," NACUA 1995 Annual Meeting, Orlando, Florida
- "Strategies for Avoiding Defective Building Litigation," The Construction Super Conference, San Francisco 11/10/94
- "10 Most Troublesome Clauses in Construction Contracts," Kalamazoo Chapter of the Construction Financial Management Association 9/14/94

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Publications

"The Fundamentals of Construction Dispute Law," Construction Dispute Resolution, Absatone Books, 2009