



## C. RYAN MALONEY

### **PARTNER**

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C. Ryan Maloney is a partner in the Jacksonville office of Shutts & Bowen LLP, where he is a member of the Construction Litigation Practice Group.

As a Florida Bar Board Certified Construction Law practitioner, Ryan focuses a significant portion of his practice on serving companies in the construction industry. He also represents businesses and individuals in all forms of business and contract disputes, in government bid protests, and in real estate disputes. Ryan leverages his more than 20 years of legal experience to assess key issues and develop strategies to consistently obtain client-focused results within a budget.

Ryan has successfully litigated and arbitrated numerous construction claims and disputes involving such issues as delays, disruptions, cumulative impacts, changed conditions, mechanic's liens, payment and performance bonds, licensing, construction defects and design defects, among others. The construction projects have included commercial, government, high-rise, multi-family, condominiums, high-end residential, industrial and warehouse, chemical plants, highways, airports, hospitals, schools and data centers. Ryan also has extensive experience drafting and negotiating construction contracts for owners, contractors, subcontractors and design professionals, including negotiating numerous AIA, DBIA and other industry standard contract documents.

In addition to his active construction practice, Ryan has also successfully represented clients in many other types of business litigation and disputes, including breach of contract, landlord/tenant disputes, business torts, government bid protests and other administrative proceedings, creditors' rights, including complex commercial foreclosures, bankruptcy and workouts, shareholder and partnership disputes, class actions, antitrust claims, and corporate governance and securities disputes. Ryan is an experienced trial attorney, having handled jury and bench trials, as well as arbitrations and administrative proceedings. He has also successfully handled appeals in Florida and federal appellate courts.

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### Representative Experience:

- Represented a national electrical subcontractor in connection with multi-million dollar delay, acceleration and disruption claim on a \$500 million public project in South Florida.
- Acted as lead trial counsel for a public U.K. chemical manufacturer in defense of four mechanic's lien lawsuits claiming more than \$25 million in total mechanic's liens related to the construction of a first of its kind chemical plant for production of ethylene oxide from plant-based ethanol in Delaware. Utilized a strategy to stay the lawsuits through enforcement of mandatory pre-suit mediation subcontract requirements and obtained successful mediated settlements of all of the lawsuits for less than half of the total claimed amounts of the liens.
- Represented an entity in a major construction and design defect litigation involving substantial structural and seismic defects and water intrusion in the client's structure, and helped successfully obtain an eight-figure global settlement for the client from more than 30 defendants prior to trial.
- Represented the court-appointed receiver of a failed national electrical contractor in a multi-party AAA arbitration concerning a \$1.3 billion-dollar Data Center that involved highly complex electrical engineering defects and delay claims.
- Represented a charter school developer in connection with major construction defect claims related to water intrusion at a school, resulting in a successful mediated settlement in which client recovered all repair costs, investigative costs and substantial portion of attorney's fees.
- Represented a Fortune 50 company in connection with the development of multi-million dollar claims against a designer and contractor for project cost overruns in connection with the construction of an industrial ethanol plant.
- Represented a paving contractor in a dispute with a community development district over a road project. Defended the district's liquidated damages claims and obtained a net settlement of almost \$1 million for the client on its delay damages claim.
- Represented a hospital system in the preparation and negotiation of the contract documents for the design and construction of a new \$150 million hospital.
- Represented an international real estate developer with the preparation and negotiation of all contract documents in connection with the construction of a \$40 million observation deck and lobby renovation, which included a unique thrill feature involving an exterior glass slide between the 70th and 69th floors.
- Prepared and negotiated the contract documents for the construction of multiple apartment complexes throughout Florida, each in excess of \$25 million in contract value.
- Represented a pharmaceutical company in the preparation and negotiation of the contract documents for the construction of a multi-million dollar manufacturing facility.
- Represented a national specialty food distributor in the negotiation of the contract documents for the construction of distribution centers in Illinois, Florida and California.

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- Acted as lead counsel representing a lender in a Chapter 11 bankruptcy case involving a multi-million dollar loan secured by an office building. Developed a strategy to seek dismissal of a borrower's Chapter 11 bankruptcy filed on the eve of foreclosure, and after a bench trial, the bankruptcy court dismissed the Chapter 11 bankruptcy outright on the basis that it was filed by the borrower in bad faith.
- Acted as lead trial counsel for a client in an administrative trial against the Florida Department of Revenue that resulted in hundreds of thousands of dollars in tax assessments, interest and penalties that were asserted against the client being dropped in full.
- Obtained more than \$2.5 million in recoveries for a lender client on a failed multi-million real estate development loan by successfully recovering the real property via foreclosure, and obtaining monetary recoveries from guarantors, including by asserting fraudulent transfer claims and by seizing and liquidating stock held in multiple brokerage accounts.
- Assisted a client in a successful bid protest trial over a contract award by state agency in which the administrative law judge reversed the original decision to award the multi-million-dollar contract to client's competitor and instead ordered that the contract be awarded to the client.
- Represented a Fortune 50 health insurer in the successful defense of multiple bid protests of an award of a more than \$1 billion contract to provide Medicaid managed care services to the State of Iowa in the State's largest ever procurement, including victories at the administrative trial level and on appeal.
- Successfully represented a Fortune 50 health insurer in defeating multiple bid protests of a \$1 billion contract awarded to the client to provide Medicaid managed care services in the State of Georgia, resulting in the client retaining the contract.
- Represented a public, non-profit hospital system in Florida in connection with a comprehensive update and revision of its procurement manual.

## Practice Areas

Construction

Litigation

## Industry Focus

Construction

## Accolades

- Board Certified in Construction Law by the Florida Bar since 2012
- Peer Review and Judiciary Review Rated as AV® Preeminent™, the highest possible rating in both legal ability and ethical standards by members of the Bar and Judiciary in Martindale-Hubbell's

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review rating system

- Recognized in *The Best Lawyers in America*®
  - Construction Litigation, 2023, 2024, 2025
  - Commerical Litigation, 2025
  - Construction Law, 2025
- Recognized as a member of *Florida Trend* magazine's Legal Elite 2020, 2021, 2022
- Recognized by *The Legal 500* in the area of real estate – construction in 2013, 2014, and 2016
- Recognized as a *Florida Super Lawyers – Rising Star*® for construction and business litigation work in 2010
- Named a United Way of Northeast Florida Stein Fellow in 2012
- Named to the Jacksonville Area Legal Aid's Pro Bono Honor Roll for Exceptional Pro Bono Service in 2010

### Education

- University of Florida Levin College of Law, *magna cum laude*, J.D., 2003
  - Order of the Coif
  - Articles Editor, *University of Florida Journal of Law and Public Policy*
- Florida State University, B.S., *cum laude*, Sociology and English Literature, 1999

### Bar Admissions

Florida

### Court Admissions

- U.S. District Court for the Middle District of Florida
- U.S. District Court for the Northern District of Florida
- U.S. District Court for the Southern District of Florida

### Professional and Civic

- Jacksonville Bar Association
  - 2018 Chair of the Construction Law Committee
- American Bar Association and the ABA Forum Committee on the Construction Industry
- Florida Bar

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- Real Property, Probate and Trust Law Section
- Construction Law Committee
- Associated Builders and Contractors Association – Florida First Coast Chapter
- Rotary Club of South Jacksonville, Board Member since 2019
- Former Pro bono General Counsel for the Clay County Chamber of Commerce
- Former Member and Board Chair of the Downtown District Board of the YMCA of Florida's First Coast
- Former Big Brothers Big Sisters of Northeast Florida Mentor

### Publications

- *"Five Key Subcontract Terms That Every Subcontractor Needs to Negotiate," PileDriver Magazine, Issue 1, 2022, Vol. 19*
- *"Pandemic-Related Rising Materials Costs," PileDriver Magazine, Issue 3, 2021, Vol. 18*
- *"Overview of Florida's New Uniform Commercial Real Estate Receivership Act," ACC North Florida, November 2020 Newsletter*
- *"Construction Project Notice and Documentation," PileDriver Magazine, Issue 3, 2020, Vol. 17, No. 3*
- *"Treatment of Commercial Leases in Bankruptcy," ACC North Florida, May 2020 Newsletter*
- *"Contracting for Faster and Less Expensive Dispute Resolution," PileDriver Magazine, Issue 6, 2019, Vol. 16, No. 6*
- *"Know the Limits: A Primer on Construction Defect Statutes of Limitation and Repose," PileDriver Magazine, Issue 2, 2019, Vol. 16, No. 2*
- Co-Author – *"New AIA Contract Documents," Chapter 1, 2018 Construction Law Update, Wolters Kluwer, 2018 Edition*
- *"Key Changes in the New AIA A201 General Conditions," PileDriver Magazine, Issue 2, 2018, Vol. 15, No. 2*
- *"Beware the Consequences of Consequential Damages," PileDriver Magazine, Q1, 2015*
- *"A Miller Act Overview," PileDriver Magazine, Q2, 2013*
- *"The Big Picture on Bid Protests," PileDriver Magazine, Q2 2012*