



## JAMES P. TERPENING III

### PARTNER

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James P. Terpening III is a partner in the Tampa office of Shutts & Bowen LLP, where he is a member of the Construction Litigation Practice Group. James is Board Certified by The Florida Bar in Construction Law.

James represents owners, developers, contractors, and design professionals in disputes involving, among other things, payment, construction defect, construction lien, insurance coverage, and bond issues. In addition to jury and bench trial experience, James has experience both successfully representing construction clients in numerous arbitration proceedings and serving as an arbitrator. With respect to his role as arbitrator, James is a member of the American Arbitration Association roster of arbitrators, served as a private arbitrator in a construction dispute, and has completed Florida court-appointed arbitrator training. Beyond representation of clients in disputed matters, James advises clients on avoiding litigation and resolving matters through alternative methods of resolution, including negotiation, mediation, and arbitration.

### Practice Areas

Construction

Litigation

### Accolades

- Florida Bar Board Certified in Construction Law
- *Florida Super Lawyers*, Rising Star, Construction Litigation, 2017-2019
- *Best Lawyers in America*®
  - Construction Law, 2022, 2023, 2024, 2025
  - Litigation - Construction, 2023, 2024, 2025

## James P. Terpening III

### Education

- Emory University School of Law, J.D., 2009
  - Executive Notes and Comments Editor, *Emory Bankruptcy Developments Journal*
- University of Florida, B.S., Building Construction, *summa cum laude*, 2005

### Bar Admissions

Florida

### Court Admissions

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

### Professional and Civic

- The Florida Bar, Construction Law Committee
- Hillsborough County Bar Association, Construction Law Section
- Emory Law School Alumni Board, Board Member (past member)
- University of Florida M.E. Rinker, Sr. School of Construction Management, Advisory Council Member (past member)

### Presentations

- Speaker, *Non-Delegable Duty and Vicarious Liability Claims Against General Contractors*, 13th Annual Construction Law in Florida Seminar, The Seminar Group (2024)
- Speaker, *Navigating Building Envelope Construction Defect Claims from the Perspectives of the Association, Developer and Designer*, 12th Annual Construction Law in Florida Seminar, The Seminar Group (2023)
- Speaker, *Understanding, Navigating and Avoiding Contractual Indemnity and Commercial General Liability Insurance Coverage Claims*, Association of Corporate Counsel – Real Estate Network (2023)
- Speaker, *Your Guide to Building Applications, Inspection Reports, Permits, and More, Construction Law 101 for Paralegals: From Contracts to Litigation*, National Business Institute (2022)
- Speaker, *Construction Contract Drafting – Five of the Most Important Provisions to Consider When Advising Your Clients*, The Construction Law Committee of the Real Property, Probate and Trust Law Section of the Florida Bar (2022)
- Speaker, *Discovery in Construction Litigation for Paralegals*, National Business Institute (2021)

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- Speaker, *Career Tips and Tricks Hosted by Law and GBS Alumni*, Emory Alumni Association (2020)
- Guest Lecturer, University of Florida Construction Law Class, M.E. Rinker, Sr. School of Construction Management (2019)
- Speaker, *Navigating Florida's Anti-Indemnity Statute (Section 725.06, Florida Statutes)*, Hillsborough County Bar Association (2019)
- Speaker, *Troubleshooting Construction Project Legal Issues*, National Business Institute (2017)
- Speaker, *Issues of Data Collection: The Benefits and Detriments of Self Collection vs. Third Party Collection*, Law Tech Miami (2012)

### Publications

- Co-Author, *Breach of Contract Defenses: Florida*, Practical Law (2021)
- Co-Author, *Equitable Remedies for Contract Actions: Florida*, Practical Law (2021)
- Co-Author, *Quasi-Contract Claims: Florida*, Practical Law (2021)
- *All or Nothing: Properly Deducting Vehicle Ownership Expenses Under § 707(b)(2)(a)(ii)(i)*, 25 Emory Bankr. Dev. J. 565 (2009)