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Querrey & Harrow

# Construction Law Quarterly



## Court Upholds Forum Selection Clause

Kathleen Ihlenfeld



The validity of a forum selection clause may be challenged in a post-arbitration award proceeding, despite the failure of the challenger to participate in the actual arbitration hearing. However, in order to be successful, the court must look at six factors to determine if the forum selection clause is reasonable.

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## General Contractor Not Liable When It Retains No Control

Michelle Iseman



The Illinois Appellate Court recently analyzed the circumstances under which a general contractor may be held liable for a subcontractor's negligence in Lederer v. Exec. Constr., Inc., 2014 IL App (1st) 123170.

### Attorney Spotlight



Stacy J. Vasilak

Stacy Vasilak, Managing Shareholder of Querrey & Harrow's Merrillville, Indiana office, concentrates her practice in general litigation and arbitration. Stacy's experience is wide and varied and includes significant experience with contract interpretation, litigating indemnification agreements, construction

## Mechanic's Lien Denied to Engineering Firm

Nicholas Johnson

Two essential elements needed to create a valid mechanics lien claim are (1) a contract with the owners of the property and (2) the work for which lien is made results in improvement to the property. These two essential elements were reviewed and tested in the



recent Illinois Appellate Court case.

## Statutes of Limitation - Timing is Everything

While the construction business has its own peculiarities and problems, in certain ways it is no different from other businesses; every company must have a sense of timing. No business should sit on its rights for a long period and then try to enforce them in court.

Querrey & Harrow is a multi-service Chicago law firm with satellite offices in the Chicago metropolitan area and a geographic service area which extends throughout Illinois and Indiana. Our attorneys advise businesses, public entities, and individuals regarding contracts, compliance, employment, and insurance coverage.

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and contract claims. She has also handled claims involving damage to underground facilities and insurance coverage matters.

Stacy is distinguished as AV® Preeminent™ Peer Review Rated by Martindale-Hubbell and has actively practiced in several counties throughout Indiana as well as in the United States District Court for the Northern and Southern Districts of Indiana, the Indiana Court of Appeals, the Indiana Supreme Court, and the Seventh Circuit Court of Appeals.

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