

ANDREW M. BAUGH

PRINCIPAL | BERDING & WEIL LLP

abaugh@berdingweil.com



AREAS OF PRACTICE

Andy Baugh is an accomplished lawyer with first chair trial experience who focuses his practice on representing commercial real estate, common interest developments, and single-family home owners and homeowners associations engaged in complex construction defect actions and other real estate and construction related matters.

PROFESSIONAL HISTORY

Prior to joining Berding|Weil, Mr. Baugh served in the US Army Judge Advocate General Corps from 1998-2005. During a majority of that time, Mr. Baugh was assigned as a Senior Trial Counsel representing the government at Courts-Martial prosecuting major felony cases of attempted murder, counterfeiting, child pornography, child sexual abuse, rape, narcotics distribution, robbery, and assault. As a JAG officer, Mr. Baugh was the lead counsel on over 200 criminal trials and administrative proceedings. Additionally, Mr. Baugh represented the government while handling medical malpractice claims, contract claims and operational and international law matters on behalf of the Army. During Mr. Baugh's Army career he served in Korea, Germany, and Hawaii.

Mr. Baugh's service in the JAG Corps included deployments to Bosnia and Kosovo where he served in support of NATO's SFOR and KFOR operations. Additionally, Mr. Baugh deployed to Afghanistan where he advised on US reconstruction contracts, various aspects of international and operations law, and criminal litigation in support for Task Force Thunder, Regional Command East. For his service in Afghanistan, Mr. Baugh was awarded the Bronze Star.

EDUCATIONAL HISTORY

Mr. Baugh received his *Juris Doctor* from the University of Missouri-Columbia School of Law in 1998. He received his B.A. in Political Science, cum laude, from the University of Missouri-Columbia in 1995.

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REPRESENTATIVE MATTERS

After a four-week trial in Nevada County, obtained a \$2.5 million dollar jury verdict against James Hardie Building Products, Inc. arising from the failure of James Hardie's cement board & shingle siding products in a 60 unit townhome development in Truckee, California. The jury found that the Hardie board & shingle siding products were defectively designed because they failed when exposed to numerous freeze/thaw cycles in Alpine regions.

Litigated and settled a construction defect case, on behalf of the owner, pertaining to a 400 plus unit apartment building in San Jose for approximately \$40 million.

Litigated and settled a construction defect case involving a commercial building in El Dorado Hills, California, on behalf of the owners, for approximately \$850,000.

After a three-week trial in Santa Clara County, obtained a \$2.47 million dollar jury verdict against a major developer and well known commercial real estate brokerage firm arising from their failure to disclose significant plumbing defects in the sale of a 200+ unit apartment building. A twelve member jury agreed that the defendants intentionally misrepresented the physical condition of the apartment project, and rendered a unanimous 12-0 verdict.

Litigated and settled on behalf of the HOA a construction defect case pertaining to a 33 residential/11 commercial unit mixed-use common interest development in San Francisco for approximately \$4.1 million.

Litigated and settled a construction defect case, on behalf of the owner, pertaining to a 200 plus unit apartment building in Redwood City for \$16 million.

Litigated and settled on behalf of an apartment owner/operator a failure to disclose lawsuit arising from the sale of a 50+ unit apartment building in El Dorado Hills, California. The seller failed to disclose systemic water intrusion at the project arising from known roof deficiencies, foundation defects, and inadequate site drainage. Settlement: Confidential.

AWARDS

Phi Beta Kappa, Omicron Delta Kappa and Order of Omega.

BAR MEMBERSHIPS

State Bar of Missouri, 1998 and California State Bar, 2006.