

SCOTT M. MACKEY

PARTNER | BERDING & WEIL LLP

smackey@berdingweil.com



AREAS OF PRACTICE

Scott M. Mackey is a Partner of Berding & Weil joining in 2015 as a trial attorney and member of the litigation department. Mr. Mackey has repeatedly been recognized as one of the top attorneys in California. Mr. Mackey is focused on representing real estate clients, including common interest developments, multi-family residential projects, commercial projects, movie theaters, hotels, department stores, infrastructure, public works, schools (K-12 and universities), and homeowner associations in complex construction defect, mass tort, and class action lawsuits throughout the state of California. Additionally, Mr. Mackey represents clients in matters involving personal injury, and contractual disputes.

Mr. Mackey's tenacity and compassion are unmatched. As a highly experienced construction defect, real estate and personal injury attorney, Mr. Mackey is dedicated to furnishing high-caliber advocacy characteristic of larger firms with the personalized attention that only a small boutique firm can provide. Mr. Mackey's extensive litigation practice in both Federal and State Courts of California encompass complex real estate matters where he has tried, arbitrated or settled more than 200 cases related to defective construction, professional negligence, delay and disruption, product liability, contractual disputes, insurance coverage, construction site accident/personal injury claims, and disputes involving inverse condemnation, boundary disputes, failure to disclose, and claims for partition.

In addition, Mr. Mackey devotes a substantial portion of his practice to representing construction contractors as their Corporate Counsel. As Corporate Counsel for a number of companies, Mr. Mackey understands the business objectives of his clients and brings that experience to his litigation practice. Mr. Mackey's services consist of contract negotiations, insurance coverage, legal analysis of proposed business actions, risk management concerns and on-call advice.

PROFESSIONAL HISTORY

Prior to joining Berding & Weil, Mr. Mackey practiced as a defense attorney where he worked for one of the largest law firms in the Country representing builders, developers, contractors and product manufacturers in litigation and transactional matters. Mr. Mackey specialized in handling a broad array of transactions and dispute resolution matters, including initial drafting, preparation, review and negotiation of contracts, delay and disruption claims, negotiation of restructuring agreements, multi-party construction defect, environmental contamination (illegal dumping), product liability, geotechnical claims, errors & omissions/professional negligence, insurance, and risk management.

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EDUCATIONAL HISTORY

Mr. Mackey received his *Juris Doctor* from the University of Pacific, McGeorge School of Law in 2002.

Mr. Mackey received his Bachelor of Science in Criminal Justice with an emphasis in Law Enforcement Management and Investigation from California State University of Sacramento in 1999.

BAR MEMBERSHIPS

State Bar of California, 2002

U.S. District Court, Eastern District of California, 2002

U.S. District Court, Central District of California, 2018

U.S. District Court, Southern District of California, 2018

United States Supreme Court, 2018

SPECIAL INTEREST GROUPS

Mr. Mackey frequently participates in Board Member education seminars and new homeowner orientation seminars. He is affiliated with the Executive Counsel of Homeowners (ECHO), Community Associations Institute (CAI), California Association of Community Managers (CACM), as well as an active member in the Consumer Attorneys of California.

Mr. Mackey is also actively involved in assisting low-income Contra Costa County residents gain the skills and confidence to get and keep jobs that support themselves and their families.

AWARDS

Lawyers of Distinction (Recognizing Excellence in Real Estate), 2019