



## **Matthew J. Ninneman**

*Member*

303-628-3416

ninnemanm@hallevans.com

Mr. Ninneman litigates complex commercial and construction disputes in state and federal court and arbitration, representing owner/developers, general contractors, design-builders, subcontractors, architects, engineers, and suppliers on private, public and hybrid projects, including heavy civil infrastructure, sports arenas, schools, hotels, hospitals, mass transit, roadways, industrial warehousing, and renovation and development of apartments, multi-family, mixed-use and single family residences. He focuses on resolving disputes over contract scope, payment, schedule/delay, construction and design defects, and performance claims for all types of vertical construction and infrastructure projects. In addition to litigating, Mr. Ninneman advises design and construction professionals on day-to-day risk management issues, drafting and negotiation of custom and form contracts, including AIA, DBIA, EJCDC and ConsensusDOCS, licensing and administrative reporting, bid protests, payment disputes including mechanic's liens, verified claims, performance and payment bond claims, and pre-litigation dispute resolution/mediation.

Mr. Ninneman is a frequent author and lecturer on issues concerning construction claims, contract drafting, design licensure, liability mitigation, and current issues impacting the construction industry.

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### ***Education***

JD: William Mitchell  
College of Law, 2002

BA: University of  
Minnesota, 1999  
History and Political  
Science

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### ***Bar Admissions***

Colorado, 2002

U.S. District Court,  
District of Colorado

U.S. Court of  
Appeals, Tenth  
Circuit

U.S. Court of Federal  
Claims

### ***Career Distinctions & Honors***

5280 Magazine, "Top Lawyers," Construction, 2021-2024

*The Best Lawyers in America*®; Litigation – Construction, 2020 – 2025; Construction  
Law, 2022 – 2025; Litigation – Insurance, 2022 – 2025

*The Best Lawyers in America*®, "Lawyer of The Year" in Denver for Construction  
Law, 2024

*Colorado Super Lawyers*®, Construction Litigation, 2017-2024

*Colorado Super Lawyers*®, "Rising Star," Construction Litigation, 2016

First Place Recipient of Nathan Burken Memorial Competition on Copyright Law

Recipient of the Law School Public Service Award

Commendations from Wisconsin Governor and State Senator for receiving Nathan  
Burken Award

### ***Decisions***

*Namaste Solar Elec., Inc. v. HB Solar of S. California*, 2014 U.S. Dist. LEXIS 118797 (D.  
Colo. Aug. 26, 2014)

*Zehren and Associates, Inc. v. Braeburn Real Estate Development, LLC*, 2009 U.S. Dist.  
LEXIS 601 (D. Colo., Jan. 7, 2009)

*Phase One Landscapes, Inc. v. M. Julia Hook*, 2007 Bankr. LEXIS 3954 (10<sup>th</sup> Cir., Dec.  
3, 2007)

### ***Professional Associations***

Colorado Bar Association