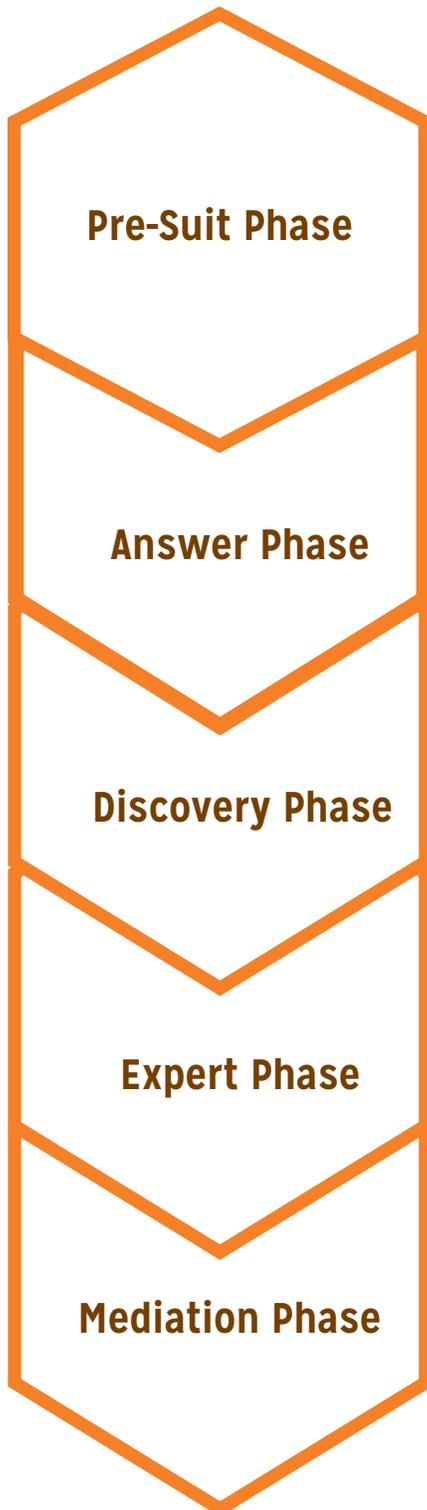


# Construction Litigation Efficiency Program (CLEP)

**Construction litigation can be an expensive process. Hermes Law is devoted to changing this process through the CLEP. The following is an overview of this program.**



- Request access to the entire project file from the client with the litigation hold letter and request the documents to be produced from parties within 30 days.
- Explore collaborative resolution.
- Propose a joint defense agreement within 5 days of all parties answering.
- If applicable, file with the Answer a Motion to Dismiss for lack of certificate of merit.
- Explore immediate Motion for Summary Judgment possibilities on indemnity and additional insured rights.
- Create modified deposition schedule to allow for minimal party attendance.
- Request deposition of all plaintiffs within 10 days of receipt of discovery responses.
- Give notice of deposition, if no response, within 5 days of first request.
- Identify significant disputed points preventing resolution and focus discovery on those.
- Engage preferred experts within 10 days of file receipt.
- Propose joint experts within 10 days of all defendants' answers.
- Schedule site inspection within 5 days of expert approval.
- Evaluate use of expert collaboration to facilitate resolution.
- Identify mediators early to obtain preferential scheduling.
- Utilize effective pre-mediation communication including all coverage available, indemnity issues, bifurcated mediation (if applicable) and verdict searches.
- Unsuccessful mediations result in more targeted next phase of litigation.

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Each case presents unique opportunities for efficiency. The above are examples of considerations to be made on a case by case basis.

To learn more about how we can apply the Construction Litigation Efficiency Program to help resolve your claims, please contact:

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