



Kevin R. Garrison

Shareholder

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Mr. Garrison concentrates his practice in construction litigation, and is one of the few attorneys in Alabama accredited by the [U.S. Green Building Council \(USGBC\)](#) as a Leadership in Energy and Environmental Design Accredited Professional (LEED AP®). This credential allows Mr. Garrison to help clients proactively examine and prepare for the unique qualifications and risks that are involved in green construction projects.

As a construction attorney, Mr. Garrison represents owners, contractors, subcontractors, design professionals, design firms, and suppliers in all aspects of construction disputes, from construction contract drafting and negotiation to mechanics' liens, contractor licensing issues, insurance claims, payment and performance bond claims, retainage issues, litigation, and arbitration.

In addition to his construction practice, Mr. Garrison represents clients in connection with premises liability, nuisance cases, business torts, wrongful death, and commercial motor vehicle litigation. He is also experienced in appellate work and general business litigation involving non-compete agreements, obtaining temporary restraining orders and other injunctive relief, receivership cases, employment discrimination cases, contract disputes, and personal injury defense.

Before joining Baker Donelson, Mr. Garrison worked in the office of the governor of Alabama and was a law clerk to the Honorable W. Keith Watkins, Chief Judge of the United States District Court for the Middle District of Alabama.

Representative Matters

- Successful appeal of a trial court's denial of a motion to compel arbitration before the Alabama Supreme Court.
- After a five-day arbitration on behalf of a general contractor, received an award enforcing a prior settlement agreement and dismissing the owner's attempts to recover over \$3 million in damages from the contractor.
- Multiple appearances and matters before the [Alabama Licensing Board for General Contractors](#) and the [Alabama State Board of Licensure for Professional Engineers and Land Surveyors](#).
- Obtained the dismissal of a multi-million-dollar claim against an engineering firm without discovery in state court, a decision affirmed by the Alabama Supreme Court.
- Obtained a multi-million-dollar settlement for an owner against a general contractor for defective roofing work at a prominent religious facility.
- Obtained summary judgment in excess of \$1 million for a general contractor's unpaid retainage relating to work at a wastewater treatment plant.
- Obtained a favorable settlement for a railroad contractor against a quarry owner.
- Assisted a client with hundreds of contractor and engineering licensing issues in 48 states.
- Obtained dismissal of counterclaims and a half-million-dollar arbitration award against a general contractor on behalf of a window subcontractor after a five-day arbitration over leaking windows and repair costs.

- Assisted a construction company in recording mechanics' and materialman's liens reflective of extra costs for the construction of a hotel. Upon review of the loan and construction documents, our team determined that the lien had priority over the hotel lender's mortgage, which put a great deal of pressure on the owner and lender to resolve the lien. Without having to engage in any discovery or additional litigation, we obtained full payment for the client in exchange for a release of lien and dismissal of the lawsuit.
- In arbitration, represented members of a real estate development entity seeking contributions from minority partners for expenses incurred in a failed development project.
- Won \$3.2 million in damages on behalf of a subcontractor in a lawsuit filed against the prime contractor arising from the construction of an interstate exchange. The court denied all the prime contractor's counterclaims, which totaled over \$2 million.
- Defended a large food processor and distributor against lawsuits filed by growers relating to alleged breaches of the applicable poultry agreement, negligence, contamination of feed, and poultry "bed bug" infestation, among other nuisances.
- Represented a major food processing and distribution company in the litigation and mediation of claims related to a catastrophic cast-in-place concrete floor collapse at a production facility, which resulted in over \$3 million in damages. Advised the company regarding interaction with OSHA, builder's risk and general liability insurance coverage, defense of counterclaims, and recovery of damages.
- Represented a lead design firm in contract negotiations with a design-builder for a state construction project in excess of \$1 billion utilizing a progressive design-build delivery method.
- Reviewed a proposed EPC agreement, including the review of terms, contractual risks, and providing proposed modifications, for a \$7 million solar energy project in the Southeast on behalf of a contractor responding to an RFP.
- Represented a contractor in negotiating terms for a \$90 million public-private partnership (P3) project agreement involving the construction of a multi-jurisdictional stormwater recharge reservoir.



Professional Honors & Activities

- Listed in *Chambers USA* as a leading Construction lawyer in Alabama (2018 – 2024)
- Listed in *The Best Lawyers in America*® for Construction Law and Litigation - Construction (2021 – 2025)
- Selected to Mid-South Super Lawyers in Construction Litigation (2023)
- Selected to Mid-South Rising Stars in Construction Litigation (2013 – 2017)
- Named to AGC Alabama's inaugural "Top 40 Under 40" Class of 2018
- Named as one of *Birmingham Business Journal's* "Top 40 Under 40" (2019)
- Named as one of Birmingham's "Rising Stars/Attorneys of Note" by *B-Metro* magazine (2014)
- Selected to "Future Leaders in Construction" by [Associated Builders & Contractors of Alabama](#) (2014)
- Named by *Birmingham* magazine as one of "Birmingham's Top Attorneys" in Construction (2014)
- Former and Founding Board Member – Financial Education Outreach
- Chair – Design Division (Division 3) Committee, American Bar Association Forum on Construction Law (2025)
- Chair – Alabama State Bar, Construction Industry Section (2021, 2022)
- Vice-Chair – Alabama State Bar, Construction Industry Section (2020)
- Secretary-Treasurer – Alabama State Bar, Construction Industry Section (2019)
- Member – Leadership UAB Class of 2012
- Member – Birmingham Bar Association's 2010 Future Leaders Forum
- Past Vice Chair – Birmingham Branch of U.S. Green Building Council's Alabama Chapter
- Recipient – Baker Donelson's Birmingham Office Pro Bono Award (2010 and 2011)
- Finalist – 2009 *Birmingham Business Journal* Green Advocate of the Year

- Former and Founding Member – Birmingham Civil Rights Institute REACH
- Past President – Rotaract Club of Birmingham Foundation
- Past Executive Committee Member – Public Affairs Research Council of Alabama (PARCA) Roundtable
- Board Member – ACE Mentor Program of Alabama
- Board Member – [Sidewalk Film Center and Cinema, Inc.](#)
 - Vice President and Chair of the Development Committee (2023)
- Former Vice President – Alabama AGC, Birmingham Associate Board
- Former Member – Executive Committee, Alabama AGC, Young Constructor's Forum
- Member – Public Interest Advisory Board, University of Alabama School of Law
- Member – University of Alabama Division of Community Affairs Board of Advisors (2018 – present)
- Member – Rotary Club of Birmingham
- Vestry Member – St. Stephen's Episcopal Church, Vestavia Hills, Alabama



Publications

- Co-author – "Key Provision of a Master Service Agreement," *The Construction Lawyer*, Vol. 43, No. 1 (March 2024)
- Co-author – "Alabama Design Professionals: New Law Could Affect Your Contract Provisions for Liability" (August 2021)
- Co-editor – "50-State Survey of Licensed Design Professional's Stamping and Sealing Obligations," ABA Forum on Construction Law, First Edition (April 2018)
- "Business License Tax Increase for Contractors in the City of Birmingham," *Alabama AGC* (December 2015)
- Co-author – "50-state Survey of Firm Licensure Requirements for Architectural and Engineering Firms," *ABA Forum on Construction Law*, First Edition (January 2015)
- Quoted – "Privatized Probation Becomes a Spiral of Added Fees and Jail Time," *ABA Journal* (October 2014)
- Co-author – "Green Building and the Construction Lawyer: A Practical Guide to Transactional and Litigation Issues," *ABA Book Publishing* (2014)
- "Legal Risks in Green Construction," *BuildSouth*, magazine (Spring 2011)
- "Service Builds Bridges Between Birmingham Communities," *Birmingham News* (February 2011)



Speaking Engagements

- Moderator – Ninth Annual Construction Law Summit by the Construction Law Section of the Alabama State Bar (December 2022)
- "Mastering Master Subcontract Agreements," ABA Forum on Construction Fall Meeting (September 2022)
- "Force Majeure Boot Camp: The Tools You Need to Contractually Manage Potential COVID-19 Impacts on Your Construction Projects," Alabama AGC RiskCon2020 (August 2020)
- Panelist – Crisis Communications Panel, SMPS Alabama Chapter (November 2019)
- "Key Provisions of the Alabama Building Commission General Conditions," Fifth Annual Construction Law Summit, Construction Law Section of the Alabama State Bar (December 2018)
- "Building in the Age of Artificial Intelligence," AGC's Construction Risk Summit (August 2018)
- "The 2017 AIA Family of Documents," Fourth Annual Construction Law Summit, Construction Law Section of the Alabama State Bar (December 2017)
- "Construction Law 101," Alabama Surety Association Luncheon (August 2017)
- "Engineering Law 101," 12th Annual Ethics Day Event, Alabama Society of Professional Engineers (November 2016)

- "Making and Enforcing Construction Lien and Bond Claims," Second Annual Construction Law Summit, Construction Law Section of the Alabama State Bar (December 2015)



Education

- University of Alabama, J.D., 2007, cum laude
 - Senior Articles Editor and Member of the Managing Board – *Alabama Law Review*
 - Recipient – Outstanding Managing Board Member – *Alabama Law Review*
 - John A. Campbell Moot Court Board
 - Recipient – Judge Walter P. Gewin Best Brief Award (Campbell Moot Court Competition)
 - Student Fellow – Blackburn Institute
 - Member – Bench & Bar Legal Honor Society
- University of Alabama, B.S. in Civil Engineering, 2002, cum laude
 - Founder and President – Alabama Students for Constitutional Reform
 - Vice President – Chi Epsilon (Civil Engineering Honor Society)
 - Vice President of Membership – American Society of Civil Engineers
 - Recipient – Capstone Engineering Society Outstanding Senior, Department of Civil Engineering (2002)
 - Participant – Co-operative Education Program, one-year full-time work with general contractor specializing in wastewater treatment plant construction (2000)



Admissions

- Alabama, 2007
- United States District Court for the Northern, Middle and Southern Districts of Alabama, 2008
- United States District Court for the Northern District of Florida, 2014