



HARRIS ARBITRATION

CONSTRUCTION DISPUTES – DOMESTIC + INTERNATIONAL
ARBITRATOR • MEDIATOR • COUNSEL

EDUCATION

Chartered Institute of Arbitrators, Diploma in International Commercial Arbitration

University of Chicago, Ph.D.

University of Michigan, J.D.

University of Kansas, M.A.

University of Kansas, B.A.

BAR ADMISSIONS

Michigan

Ontario

RECOGNITION

Who's Who Legal: Arbitration

Who's Who Legal: Construction

Who's Who Legal Thought Leaders: Construction

Best Lawyers in America, Construction Law

CONTACT

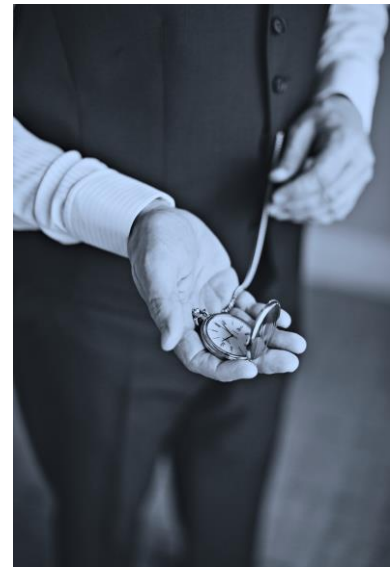
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U.S.A.

Troy Harris serves as arbitrator and mediator in complex construction and commercial disputes, with a particular focus on matters under U.S. and Canadian law. He is also available for select appointments as counsel.

A prolific author, he “wrote the book” on handling international construction arbitrations. His two-volume how-to guide for practitioners, the *International Construction Arbitration Handbook* (co-authored with John W. Hinchey), is updated annually and has received consistently positive reviews from arbitration practitioners.

Mr. Harris is also a professor of law at the University of Detroit Mercy School of Law, where he teaches construction law, contracts, and international commercial arbitration, and a sessional instructor at the University of Windsor (Canada) Faculty of Law, where he teaches comparative contract law.



Eryn Shea Photography



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REPRESENTATIVE MATTERS AS ARBITRATOR

Expedited Arbitration

AAA-administered expedited arbitration of payment dispute

Breach of Contract—International

ICDR-administered insurance subrogation and breach of contract dispute under AAA Commercial Arbitration Rules

Breach of Contract—International

ICDR-administered breach of contract dispute under AAA Commercial Arbitration Rules

“R-7” Arbitration

AAA-administered R-7 construction arbitration under AAA Construction Industry Arbitration Rules

REPRESENTATIVE MATTERS AS MEDIATOR

Breach of Contract—International

ICDR-administered breach of contract dispute under AAA Commercial Mediation Procedures

REPRESENTATIVE MATTERS AS COUNSEL

Power Company Construction Arbitration

Successfully represented an Italian power producer in an ICC arbitration against its European EPC contractor in connection with the construction of a biomass power plant.

Power Company Construction Arbitration

Successfully represented a Caribbean power producer in an ICC arbitration against its European EPC contractor involving the construction and operation of a fuel oil power plant.

Amicus Curiae Brief

Successfully represented the Swiss Arbitration Association and the American Arbitration Association as *amici curiae* in *Gulf Petro Trading Co. v Nigerian National Petroleum Co.*, 512 F.3d 742 (5th Cir. 2008), involving a collateral attack upon an international arbitration award.

Hotel/Resort Construction Litigation

Successfully represented a real estate developer in federal court litigation and related mediation of a dispute involving the construction of a luxury Caribbean hotel and resort complex.

Telecom Company Construction Litigation and Arbitration

Won summary judgment and specific performance for the telecommunications subsidiary of a Class I Railroad in federal court litigation and related AAA arbitration and mediation of a dispute related to the construction of a fiber-optic conduit system in the railroad's right-of-way.

Energy Construction Counseling

Counseled an international energy company in a dispute with the EPC contractor responsible for the



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engineering and construction of a liquefied natural gas terminal and regasification facility.

Cement Plant Construction Counseling

Counseled an international cement manufacturing company in a dispute with a specialty subcontractor involving the construction of a \$1 billion cement manufacturing plant.

Independent Power Producer Counseling

Counseled an independent power producer in connection with a retrofitting project for a coal-fired power plant.

P3 Litigation

Defended a county government in a three-week jury trial involving a proposed public-private partnership to construct a wastewater treatment facility.

PUBLICATIONS

International Construction Arbitration Handbook (Thomson Reuters, first published in 2008 and updated annually, 2 vols., with John W. Hinchey)

Contracts for the Cross-Border Lawyer: Canada and the United States (Blurb, first published in 2019 and updated annually)

"United States of America," in *The International Compendium of Construction Contracts* (De Gruyter, 2021); contributing author

"ICC Issues New Guidelines for Arbitration of International Construction Disputes," *JAMS Global Construction Solutions* (Spring 2019) 3; co-authored with John W. Hinchey

"Know Before You Go: What US Lawyers Should Know About Ontario's New Construction Act," 39(1) *The Construction Lawyer* 36 (2019)

Michigan Construction Law, Practice Guide No. 2: Property Insurance (Blurb, 2018)

Michigan Construction Law, Practice Guide No. 1: Commercial General Liability Insurance (Blurb, 2018)

"Construction Disputes Under US Law: A Guide for Non-US Lawyers," in *International Arbitration in the United States* (Kluwer, 2018)

"ADR in Construction—United States of America" (with Donald G. Gavin), 2 *The American Journal of Construction Arbitration & ADR* 151 (2018)

"Second Circuit Sets Forth Criteria for 'Reasoned Award' in International Construction Arbitration Case," 11(4) *Construction Law International* 6 (2016)

"Construction Disputes Under U.S. Law: A Primer for Non-U.S. Lawyers," 11(1) *Construction Law International* 26 (2016)



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- "Michigan" in *Construction Law Update (2015-2016)* (American Bar Association 2016)
- "1215 And All That: The Origins of (And a Possible Solution to) the Common Law/Civil Law Divide in Taking Evidence in International Construction Arbitration," 10(3) *Construction Law International* 16 (2015)
- "Has Your Project Been Expropriated? P3 Construction and Investment Treaty Arbitration," 10(2) *Construction Law International* 11 (2015)
- "Supreme Court of Canada Recognises Good Faith as a General Organising Principle of Contract Law and a Common Law Duty to Act Honestly in Contract Performance," 10(1) *Construction Law International* 4 (2015)
- "Designing Dispute Resolution Systems for Integrated Project Delivery: Challenges of Multi-Contract and Multi-Party Arbitrations," 9(4) *Construction Law International* 30 (2014)
- "United States" (with Donald G. Gavin) in *ADR Guides for International Construction Projects* (International Bar Association, 2014)
- "Customary International Arbitration Law," 24(2) *American Review of International Arbitration* 245 (2013)
- "Ethics in International Arbitration: They're Not Just for Lawyers," *JAMS Global Construction Solutions* 2 (Spring 2013); reprinted in 8(3) *Construction Law International* 37 (2013)
- Review of Justin Sweet and Marc M. Schneier, *Legal Aspects of Architecture, Engineering and the Construction Process* (9th edition 2012), 8(1) *Construction Law International* 42 (2013)
- "The 'Big 3' of Chinese International Arbitration," (Co-author with Frederick A. Acomb), *Michigan Lawyers Weekly*, October 5, 2012
- Review of Franco Ferrari and Stefan Kröll (eds.), *Conflict of Laws in International Arbitration* (2010), 15(3) *International Arbitration Law Review* 118 (2012)
- "Training International Construction Lawyers: A Proposal," 7(1) *Construction Law International* 41 (2012)
- Review of Emmanuel Gaillard, *Legal Theory of International Arbitration* (2010), 77(2) *Arbitration* 284 (2011)
- "Drafting International Arbitration Clauses For Cross-Border Transactions," 23(1) *Michigan International Lawyer* 3 (2011)
- "Ethical Considerations for a Multi-Jurisdictional, International Construction Practice" (with Michael Black, Q.C.) in *International Construction Law* (American Bar Association 2009)
- Review of Jeffrey Delmon, *Private Sector Investment in Infrastructure: Project Finance, PPP Projects and Risk* (2d ed. 2009), 4 *Construction Law International* 20 (2009)
- "Disclosure of Electronic Documents in International Construction Arbitration," [2009] *International Construction Law Review* 161 (2009)
- "International Corruption Laws," in *Construction Checklists: A Guide to Frequently Encountered Construction Issues* (American Bar Association, 2008)
- "Performance Security—Owner," in *Construction Checklists: A Guide to Frequently Encountered Construction Issues* (American Bar Association, 2008)
- "Payment Security—Contractor," in *Construction Checklists: A Guide to Frequently Encountered*



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Construction Issues (American Bar Association, 2008)

“The ‘Public Policy’ Exception to Enforcement of International Arbitration Awards Under the New York Convention, With Particular Reference to Construction Disputes,” 24 *Journal of International Arbitration* 9 (2007)

“Good Faith, Suretyship, and the *Ius Commune*,” 53 *Mercer Law Review* 581 (2002)

SPEECHES

Moderator, “Understanding Trade Relationships Among the U.S., Mexico, and Canada Under a Proposed New Agreement,” State Bar of Michigan International Law Section Annual Meeting, 2019

Panelist, “Enforcing Your Contracts in the Global Economy: International Arbitration and the Cross-Border Deal,” United States Council for International Business/International Chamber of Commerce Court of Arbitration/State Bar of Michigan International Law Section/Miller Canfield breakfast program, 2018

Moderator, “Building Bridge(s): From Infrastructure to Economic Development,” State Bar of Michigan International Law Section Annual Meeting, 2018

Panelist, “The Duty of Good Faith in Contract Law and the Dialogue Between Various Legal Traditions,” University of Windsor Faculty of Law, Windsor, Ontario, 2016

Co-Chair (with Virginie Colaiuta), “Investment Treaty Protections for Construction Projects,” International Bar Association Annual Conference, Washington, DC, 2016

“International Commercial Arbitration” (with Thomas G. Heintzman), Alternative Dispute Resolution: Practice and Theory Intensive Course, Western University Faculty of Law, London, Ontario, 2015

Discussion Leader (with Robin Oldenstam), “Managing the Hearing: Oral vs. Documents and Examination of Witnesses,” Oxford Diploma Conference, Keble College, Oxford, 2015

“Good Gracious! Good Faith in Contract Law” (Panelist), University of Windsor Faculty of Law, Windsor, Ontario, 2015

“Nuts and Bolts of Investment Treaty Arbitration: What Every Deal Maker Should Know About Protecting Cross-Border Investments,” State Bar of Michigan International Law Section, Detroit, Michigan, 2014

Panelist, “International Arbitration: Evidence - discovery, experts, cross examination, IBA rules, cultural differences / Preuve – découverte, experts, contre-interrogatoire, règles de l’AIB, différences culturelles,” ADR Institute of Canada, Montreal, Quebec, 2014

“Drafting International Arbitration Clauses,” Ontario Bar Association Institute, Toronto, Ontario, 2014

“The Future is Now—The Impact of Globalization on Construction Dispute Resolution,” American Bar Association Forum on the Construction Industry Annual Meeting, Dana Point, California, 2013

“Drafting International Arbitration Clauses for Cross-Border Transactions,” State Bar of Michigan Conference on International Commercial Arbitration, 2011

“Disclosure of Electronic Documents: The Issues and Guidelines in International Construction Arbitration,”



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International Bar Association Annual Convention, Buenos Aires, Argentina, 2008

“Discovery in International Arbitration,” American Bar Association Section of Litigation Annual Conference, Washington, D.C., 2008

“Powers, Duties, and Jurisdiction of the Arbitral Tribunal,” Annual Conference of the Society of Construction Law, Port Louis, Mauritius, 2007

“A Dark and Stormy Night: The Lawyer’s Ethical Considerations When Involved in a Multi-Jurisdictional, International Practice,” (Co-presenter Michael Black, Q.C.), Fall Meeting, American Bar Association Forum on the Construction Industry, Newport, Rhode Island, 2007