Cory P. DiBene
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Cory DiBene works with in-house counsel, business owners, project executives, and managers to provide legal advice focused on government contracts and construction law. This includes matters involving public and private construction claims and disputes, insurance coverage, real estate, and commercial litigation. Clients include general contractors, specialty subcontractors, engineering firms, and owners.

Cory is a zealous client advocate who pays close attention to assessing client risk while endeavoring to anticipate the bigger picture and most cost-effective outcome. His prompt and effective communication skills with third parties contribute to an ability to efficiently achieve client objectives.

CLAIMS AND DISPUTES

Delays, disputes over contract interpretation, work impacts, breach by subcontractors, and not being paid by owners are common. Cory's knowledge of construction contracts and agreement processes enables him to identify key issues and prepare a strategy to best leverage the client's position. He also understands the importance of maintaining valued relationships between general contractors and specialty subcontractors. It is this understanding that often results in keeping critical subcontractors working on a project and minimizing the harmful effects of work slowdowns or stoppages.

NAVIGATING PUBLIC WORKS CLAIMS PROCESSES

Navigating contractual dispute resolution, Public Contract Code and Government Code requirements, and evaluating the timing of claim submissions and strategy for resolution opportunities is paramount to mitigating cost overruns and project losses. Cory's strong problem solving and negotiating skills provide clients with the unique

PRACTICES

- Construction Law
  - *Claims & Disputes*
  - *Federal Procurement & Claims*
  - *Prime Contracts & Subcontracts*
  - *Real Estate*
  - *Corporate*
  - *Labor & Employment*
  - *Insurance*
- Real Estate
- Business & Commercial Litigation
- Liability Defense

ADMISSIONS

- California: State Courts
- U.S. District Court of California, Southern
- Idaho: State Courts

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opportunity to resolve claims at the onset or to properly set the stage for litigation when necessary. Cory's in-depth knowledge of the many public works claims processes allows clients to successfully preserve their claims rights on public jobs. His extensive experience in public works litigation also extends to representing prime contractors on Public Contract Code substitution hearings for defaulted subcontractors.

FEDERAL PROCUREMENT AND ADMINISTRATION

The highly regulated federal construction domain presents frequent challenges to both federal prime contractors and subcontractors. Payment disputes with the government or between subcontractors and prime contractors are common. It is an environment that requires Cory to be well versed about Federal Acquisition Regulations, the Request for Equitable Adjustment (REA) process, the Contract Disputes Act, and the Miller Act. This knowledge and Cory's experience proves valuable when the resolution of claims is the goal.

SURETY BOND CLAIMS

General contractors and subcontractors regularly suffer the monetary and operational pains caused by scope disputes, extra work, delay, acceleration, and productivity issues. During construction projects there also may be lower-tier labor, materials, or services provided to a work of improvement that are not timely paid. Cory repeatedly represents clients on payment and performance bond claims to protect their financial interests which are secured by construction bonds. His adept experience with bond claims also helps to ease client frustrations, contain disputes, and consistently achieve positive outcomes.

EXPERIENCE

- Construction litigation
- Public works of improvement and government contracts, including projects with local public agencies, cities, counties, state agencies, and federal government
- Delay, inefficiency, and extra work claims
- Coordination with schedule, design, accounting, and subject matter experts on construction claims
- Contract defaults
- Surety obligations
- Mechanic's liens
- Stop payment notices
- Payment bond claims
- Performance bond claims
- Requests for equitable adjustments (REAs)
- Contract Disputes Act claims
- Miller Act claims
- Transactional matters specializing in the drafting and review of construction project agreements and public procurement compliance
- Local, state, and federal bid protests
- General business litigation

EDUCATION

- University of San Diego School of Law, J.D., *cum laude*
  - *The Order of Barristers*
  - *Editorial Board — Articles Editor, San Diego International Law Journal*
  - *Executive Board Member, San Diego Moot Court*
  - *First Place, 2017 Paul A. McLennon Sr. Honors Moot Court Competition*
  - *CALI (AmJur) Award for highest grade in Tax 1*
  - *Certified Legal Intern, USD Veterans Legal Clinic*
  - *Judicial Extern, U.S. District Court, Southern District of California*
  - *Published* Sir, The Radar Sir, It Appears To Be … Jammed: The Future Of "The Right to Be Forgotten" In A Post-Brexit United Kingdom, *Vol. 19, San Diego International Law Journal*
- San Diego State University, B.S., Criminal Justice (minor in History), *cum laude*
  - *Alpha Phi Sigma (National Criminal Justice Honor Society)*

MEMBERSHIPS

- State Bar of California

COMMUNITY

- History of community participation and volunteerism with organizations including the Alzheimer's Association and Best Buddies Program (mentor)

RECOGNITION

- San Diego Rising Star by Super Lawyers Magazine in 2024

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