Thomas E. Diamond
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Thomas Diamond works with business owners, executives, and in-house counsel to provide legal expertise in construction law, business and commercial litigation, and government and regulatory law. His construction practice focuses on bringing effective and efficient resolution to matters involving public and private works disputes, surety bond claims, and collections. Thomas also works with both large and small businesses, and individuals, on a variety of general business and commercial disputes.

Mr. Diamond's strengths include the readiness to apply the effort necessary to master complex topics and to simplify them into their basic components. Both cautious and meticulous, Thomas strives to see every issue from all sides; a practice that results in a better understanding of the strengths — and weaknesses — of a legal position. He also recognizes the difference between *what is possible* and *what is practical*. These are worthy qualities for an attorney to have in a profession for which it is prudent to remain a step ahead.

CLAIMS AND DISPUTES

The construction arena presents many challenges for local, state, and federal prime contractors, and subcontractors seeking to pursue general contractors, project owners, and designers for recovery of extra work claims caused by design changes, delays, errors, and omissions. Specialty subcontractors in electrical, grading and excavating, mechanical, and carpentry trades share similar payment pains caused by upstream project participants. Driven by his strong work ethic and penchant for detail — combined with the firm's aggressive representation approach — Thomas produces positive resolutions and results.

PRACTICES

- Construction Law
  - *Claims & Disputes*
  - *Local Agency, Municipal & State Contracts*
  - *Federal Procurement & Claims*
  - *Prime Contracts & Subcontracts*
  - *Labor & Employment*
  - *Collections*
- Business & Commercial Litigation
- Labor & Employment

ADMISSIONS

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

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COLLECTIONS

General contractors, design-builders, and construction managers frequently encounter payment delays from project owners. In turn, downstream trades suffer from not being paid their contract balance or for extra work performed. Successfully resolving such payment claims requires skillful utilization of statutory remedies including liens and stop payment notices. It is an area in which Thomas is achieving positive results. Thomas also offers the ability to defend clients seeking to minimize their liability when they find themselves on the wrong end of a collections claim.

BUSINESS & COMMERCIAL LITIGATION

Working with general contractors, design-builders, construction managers, and insurance companies, Thomas's practice also includes litigation. Whether he is prosecuting to secure collections payments or defending clients so as to minimize liability, Thomas is determined in his approach. Thorough due diligence, attention to detail, pragmatic cost analysis, and creative legal thinking lead the way — and are paramount to the success of Thomas and to the benefit of our clients.

EXPERIENCE

- Construction litigation
- Public and private works disputes
- Mechanic's liens, stop payment notices, and payment bond claims
- Subcontractor default issues
- Commercial sales
- General business litigation
- Land use, planning, and development issues

EDUCATION

- University of San Diego School of Law, J.D., *magna cum laude*
  - *Order of the Coif*
  - *Order of the Barristers*
  - *Deans Honor Scholarship Recipient*
  - *Chair, Executive Board, Appellate Moot Court*
  - *CALI (AmJur) Awards for Constitutional Law, and Finance and Accounting for Lawyers*
  - *Team Member, American Bar Association National Appellate Advocacy Competition*
  - *Judicial Extern, U.S. District Court, Southern District of California*
- California State University, Chico, B.A., Political Science, minor in Criminal Justice
  - *Dean's List*
  - *Honor Society of Phi Kappa Phi*
  - *Faculty and Student Policy Committee Member, University Academic Senate*
  - *Legislative Affairs Council Member, Associated Students*
  - *Chief Justice/Alpha Sigma Phi — Founding Father, Inter-Fraternity Council Judicial Board*

COMMUNITY

- Actively support USD School of Law Appellate Moot Court program as a guest judge and National Team advisor
- Volunteer, Noah Homes, residential facility for adults with intellectual and developmental disabilities

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