



## PRESS RELEASE

### **Navigato & Battin Obtains Complete Victory Over General Contractor in Arbitration**

FOR IMMEDIATE RELEASE

**San Diego, California, June 5, 2024:** When a general contractor refused to pay for substantial design work and project guidance provided by a Navigato & Battin client on two separate commercial tenant improvement projects, NavBat's attorneys filed an arbitration claim to chase down the money. In an all-too-common story, the general contractor took the position that the work it requested and authorized had not been formally approved through written change orders and was outside the scope of the parties' original agreements, thus justifying its failure to pay. After a whirlwind arbitration which included the introduction of more than 50 exhibits and examinations of multiple witnesses, the arbitrator awarded NavBat's client 100% of the amount it was claiming, and followed that with an award of attorney's fees and arbitration costs to the client which nearly doubled the overall award.

"I have seen general contractors rely on these 'written change order' defenses on many occasions, despite the fact that it is very often not the way things are actually done on a construction project and the GC clearly benefitted from the work performed," said Travis Bray, the lead attorney on the matter. "I am grateful that the client was willing to do what it took to hold this contractor accountable, even though it required paying arbitration costs and attorney's fees up front and risking an award of attorney's fees against it had the ruling gone the other way. Our client knew the value of what had been provided on these projects, and wasn't willing to take pennies on the dollar for its hard work. It was a real pleasure to be a part of that process."

The arbitration award, including the attorney's fees and costs, has been paid and NavBat's client can walk away feeling vindicated in its position. For Navigato & Battin, it does not get much better than an unqualified victory for a client with an arbitration award in which the arbitrator specifically praised its attorney's preparedness and presentation. On to the next!

**About Navigato & Battin, LLP:**

Navigato & Battin, LLP is an experienced business law firm based in San Diego. For 25 years, Navigato & Battin, LLP has prosecuted and defended multi-million dollar lawsuits, in both trial and appeal settings, as well as alternative dispute resolution processes, such as arbitration and mediation. The firm counsels business clients in dealing with their organizational, labor, and management issues and has represented both companies and their principals in a variety of business disputes.

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**Media and Other Inquiries**

Davina M. Gill, 619-233-5365, [davina@navbat.com](mailto:davina@navbat.com)