

Keene W. Bartley, Esq.

Current Employer-Title Schulman, LeRoy & Bennett, P.C. - Shareholder

Profession Attorney

Work History Shareholder, Schulman, LeRoy & Bennett, P.C., 1982-present.

Experience The majority of practice arises out of construction and commercial transactional matters. Representation includes specialty trade contractors (including mechanical, electrical, roofing, concrete, underground utility, blasting and grading), general contractors (private commercial and public projects), equipment and material suppliers and fabricators, engineers, architects, and owners on various aspects of projects. Significant litigation experience involving alleged defective or negligent installation of underground utilities, material failures or defective installation of masonry products, water infiltration of buildings, failure of subsurface pipe installation, disputes under quantities under unit price contracts, defective air handling systems, defective installation of control systems and dampers, substantial subsidence failures and issues arising out of compaction testing and retaining wall system failure; delay damages arising in the alleged failure to supply correctly specified equipment; water intrusion arising out of alleged defective design and installation of roofing membranes. Practice regularly involves in commercial transactions, real estate transactions, sales, leasing, improvement and lending issues, including sales of businesses, sales of assets, and financing of purchases, and sales and expansions. Represents several lending institutions and has been certified as a 504 Loan Closing Attorney by the United States Small Business Administration. Experienced in leasing issues arising from the ownership of commercial real property. Serves as staff counsel for the Tennessee Fuel and Convenience Store Association, representing retailers of petroleum products in the State of Tennessee and is involved in environmental, transportation, and tax issues.

Alternative Dispute Resolution Experience Has served as arbitrator, mediator and as counsel in disputes throughout the Southeastern United States.

Alternative Dispute Resolution Training AAA Arbitration Roadmap: The Standard for Efficient and Cost Effective Arbitration, 2008; AAA Pro Se: Managing Cases Involving Self-Represented Parties (ACE002), 2007; AAA Arbitration Awards: Safeguarding, Deciding & Writing Awards (ACE001), 2006; AAA Arbitrator Ethics and Disclosure, 2005; AAA Construction Arbitrator II Training: Advanced Case Management Issues, 2004; AAA Arbitrator Update, 2004; AAA Arbitrator I Training-Fundamentals of the Arbitration Process, 2003.

Professional Licenses Admitted to the Bar, Tennessee, 1982. Licensed Limited Insurance Producer (for Title Insurance) State of Tennessee 2006.

Professional Associations American Bar Association (Construction Law Forum); Specialty Trade Contractors (Division 9, Steering Committee); National Association of Development Company Organizations (Affiliate Member); Episcopal Diocese of Tennessee (Architectural Review Committee); Building Owners and Managers Association (Nashville, Legislative and By-law Sub-Committee, Chair); The Tennessee Fuel and Convenience Store Association (Staff Counsel).

Education David Lipscomb College (BA, Political Science-1979); Memphis State University (JD-1982).

Publications and Speaking Engagements Chapter author, "Liquidated Damages," THE CONSTRUCTION CONTRACTS BOOK, ABA Forum on the Construction Industry, 2008 and 2004 editions; contributing author and lecturer at numerous seminars involving contract, construction, credit, and personnel issues.

SPEAKING ENGAGEMENTS: "Case Study of Site Failure," Annual meeting Tennessee Association of Construction Counsel, November 2008; "Insurance Policy Provisions, Bonds, Mechanic's and Materialman's Lien," Building Owner's and Managers Association, Nashville, 2008; "Beyond No - Appealing Arbitration Awards," Annual Meeting, ABA Construction Law Forum, May 2006; "Bringing the Parties to Closing," Tennessee Lender's Conference for the United States Small Business Administration Convention, 2001; "Contemporary Approaches for the Avoidance and Resolution of Construction Claims," Nashville Bar Association, 1998; "Tennessee Construction Law; What to do When," 2001, 1997.