



Thomas E. Abernathy, IV

Partner

THOMAS E. ABERNATHY is a partner in the Atlanta office of Smith, Currie & Hancock LLP. He received his B.A. degree from Vanderbilt University. He attended law school at the University of Virginia and Vanderbilt University and received his law degree from Vanderbilt University. After law school, he served four years in the U.S. Army. He was an Associate Professor at the U.S. Army Judge Advocate General's School and taught government contract and construction law to attorneys representing various U.S. Government agencies.

After his military service, Tom came to Atlanta and has been a partner at Smith, Currie & Hancock since 1974.

Since joining the firm, Tom has represented owners, general contractors, subcontractors, and sureties on issues involving bid and award protests and construction performance problems related to changes, changed conditions, defective plans and specifications, delays, suspensions of work and termination of contracts. He has been involved in various types of construction projects ranging from federal office buildings, courthouses, and high rise buildings to bridges and highway projects, power plants, commercial and industrial construction projects.

Tom is active in the field of public contract law and served as the Chairman of the American Bar Association Section of Public Contract Law. He is a Fellow in the American College of Construction Lawyers and served on its Board of Governors. He is a member of the Construction National Panel of Neutrals for the American Arbitration Association.

Tom is married and his daughter, son-in-law and grandchildren also live in Atlanta.

Articles & Publications

- Co-Editor, *Federal Government Construction Contracts*, John Wiley & Sons, Inc. (2010)
- Contributing Author, *Construction Business Handbook*, Aspen Publishers (2004)
- "Changed Conditions/Edition II," *Construction Briefings*, 2000-9, West Group (September 2000)
- "Developments in Federal Construction Contracts," *Wiley Construction Law Update* (1992-1999), Wiley Law Publications
- "Resolving Government Construction Claims Without Litigation," 93-10 *Briefing Papers*, Federal Publications, Inc. (September 1993)

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Areas of Practice

- Construction Law
- Government Contracts
- Arbitration
- Mediation
- Contracts

Education

- Vanderbilt University (B.A., Political Science, Omicron Delta Kappa, 1963)
- Vanderbilt University School of Law (J.D., Phi Alpha Delta, 1967)

Bar and Court Admissions

- State of Georgia
- State of Tennessee
- U.S. Supreme Court
- U.S. Court of Federal Claims
- U.S. District Courts (GA and TN)

Memberships

- Fellow, American College of Construction Lawyers (1990-present)
- Board of Governors, American College of Construction Lawyers (2004-2006)
- Chair, ABA Section of Public Contract Law (1983-1984)
- Member, American Arbitration Association Panel of Arbitrators
- Member, ABA Forum Committee on the Construction Industry

Classes & Seminars Taught

- Presentations on construction and government contract law to **bar associations** including: the ABA Public Contract Law Section; the ABA Forum on the Construction Industry and the ABA Fidelity & Surety Committee of the Torts and Insurance Practice Section; the State Bar of Georgia; **educational institutions** including Georgia Institute of Technology; University of Wisconsin Engineering School; Florida State University and Emory University; and **government agencies** including the U.S. Army Corps of Engineers and U.S. General Services Administration.

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Noteworthy

- Best Lawyers in America (2006-2011)
- Chambers USA (2003-2010)
- Georgia Super Lawyers (2004-2011) (Top 100: 2004, 2006, & 2007)
- U.S. Army, Captain (1967-1971)
- Chairman, Metro-Atlanta Advisory Board, The Salvation Army (1997-2000)
- Chairman, Metro-Atlanta Social Services Advisory Council, The Salvation Army (1994-1995)