



Kirk D. Johnston

Associate

KIRK D. JOHNSTON focuses his practice almost exclusively in the areas of construction litigation and insurance coverage. He has many years of experience representing owners, general contractors, architects, surety companies and other entities on a wide range of construction projects, including high rises, highways, bridges, and industrial complexes. A significant portion of Mr. Johnston's practice involves claims avoidance through assisting clients in every phase of the construction process, from the negotiation and drafting of construction contracts to

educating clients through day-to-day review of projects, contracts, issues and project documents. In addition to advising on front-end claims avoidance, Mr. Johnston further represents clients to achieve early resolution of disputes through effective negotiation and conciliation/mediation during the tenure of the project.

Mr. Johnston's experience in the interpretation of insurance policies further aides owners and contractors in seeking coverage for construction-related claims under CGL, professional liability and builders' risk policies. Due to Mr. Johnston's insurance experience, Mr. Johnston is able to work closely with insurance companies, in conjunction with owners/contractors in subrogation matters arising out of complex construction defect litigation.

Mr. Johnston received his Bachelor of Science degree from Brigham Young University in 1996 and received his Juris Doctorate degree from Santa Clara University in 2000. While in law school, Mr. Johnston served as an extern for the Honorable Marilyn Morgan in the United States Bankruptcy Court for the Northern District of California, San Jose Division.

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Areas of Practice

- Construction Law
- Government Contracts
- Surety Law

Education

- Brigham Young University (B.S., Business Management and Marketing, Dean's List, 1996)
- Santa Clara University School of Law (J.D., 2000)

Bar and Court Admissions

- California, 2000
- Georgia, 2003
- State of California Supreme Court, 2000
- State of Georgia Supreme Court, 2005
- U.S. District Court Northern District of California, 2001
- U.S. District Court Northern District of Georgia, 2001
- U.S. Court of Appeals 9th Circuit, 2001

Memberships

- State Bar of Georgia
- State Bar of California
- Atlanta Bar Association

Other Experience

- U.S. Bankruptcy Court, Northern District of California, Judicial Extern, 1999