

S. Joe Welborn

Joe Welborn, a native of New Orleans, has been a partner with Smith Cashion & Orr, PLC since January 2006. Joe practices primarily in the areas of commercial litigation, construction litigation, asset recovery/subrogation law and insurance coverage law.

Since joining the firm in 2001, Joe has represented the full spectrum of participants in the construction industry, from owners, to contractors, subcontractors, and sureties. Joe's practice includes time-related claims and litigation (e.g., delay/impact), legal advice and counsel regarding the contracting process (e.g., bid and contract disputes/performance bond claims), payment enforcement/defense (e.g. payment bonds/mechanic's liens), administrative and scope claims and litigation (e.g., differing site conditions, change and extra work orders/inadequate plans and specifications), and counseling and transactional services to the construction industry (e.g., general advice and counsel), including contract preparation and negotiation. Joe has also handled subrogation claims, ranging from smaller homeowner losses to large-scale industrial events.

Joe received his Bachelor of Arts degree in Business Administration from Rhodes College in 1995. In 1998, Joe received his Juris Doctorate, *cum laude*, from Tulane University Law School. After graduating from law school, Joe accepted an associate position with the Slater Law Firm in New Orleans, Louisiana. While at the Slater Law Firm, Joe devoted his practice to railroad and transportation law, products liability and complex civil litigation. In 2001, Joe joined Smith Cashion & Orr, PLC as an associate.

Joe is licensed to practice in all state courts in Louisiana and Tennessee. He has also been admitted to practice before the U.S. District Courts for the Western, Middle and Eastern Districts of Louisiana, the U.S. District Courts for the Middle and Western Districts of Tennessee, the United States Court of Appeals for the Fifth and Sixth Circuits, and the United States Supreme Court.

Joe is involved in many local and national construction industry associations. He is a member of the Louisiana, Tennessee and Nashville Bar Associations as well as the ABA's Forum on Construction Law and the ABA's Section of Litigation Committee on Construction Litigation. Joe has authored publications, including *"What Do We Do Now?" Advising Your Construction Industry Client When He Receives a Notice of Default and 48 Hours to Cure* (The Construction Lawyer, Journal of the ABA Forum on the Construction Industry, Vol. 34, Number 2, Spring 2014) and *The High Cost of Your Construction Industry Client's Failure to Follow a Contractual Notice of Claims Provision* (DRI Critical Path, Summer 2014). Joe has served as a guest lecturer for the "Construction Law and Contract" class at Vanderbilt University's College of Engineering and a Regional Coordinator for the ABA/Forum Committee on Construction Industry's 2009



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Fundamentals of Construction Law Program in Nashville, Tennessee. Joe has also co-lectured on construction law issues before the AGC of Tennessee at its annual meeting.

Joe and his wife Courtney have two daughters, Caroline and Maddie, and one son, Brooks.

EDUCATION

- B.A., Rhodes College, 1995
- J.D., Tulane University Law School, *cum laude*, 1998

BAR ADMISSIONS

- United States Supreme Court
- Tennessee Supreme Court
- U.S. District Court for the Middle District of Tennessee
- United States Court of Appeals for the Sixth Circuit
- Supreme Court of Louisiana
- U.S. District Court for the Middle District of Louisiana
- U.S. District Court for the Eastern District of Louisiana

HONORS & DISTINCTIONS

- Legal Research & Writing Fellow, Tulane University Law School
- Co-Author, *"What Do We Do Now?" Advising Your Construction Industry Client When He Receives a Notice of Default and 48 Hours to Cure* (The Construction Lawyer, Journal of the ABA Forum on the Construction Industry, Vol. 34, Number 2, Spring 2014)
- Author, *The High Cost of Your Construction Industry Client's Failure to Follow a Contractual Notice of Claims Provision* (DRI Critical Path)