



SERVING DESIGN AND CONSTRUCTION PROFESSIONALS

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EXECUTIVE SUMMARY, KRISTINE A. KUBES, PRINCIPAL, KUBES LAW OFFICE, PLLC:

Seasoned construction attorney recognized for her skill in leadership, clear communication, and thinking outside the box. Demonstrated strength in managing litigation, trying cases, negotiating settlements, handling appeals. Represents architects, engineers, building and road contractors, and their sureties. Defends professional liability and general liability claims. Secures client's payment claims via mechanic's liens. Mediates construction disputes. Assists clients in managing and minimizing risk by preparing and negotiating contracts, navigating project management and payment issues during contract performance, and evaluating and implementing best practices. AV-rated.

PROFESSIONAL EMPLOYMENT HISTORY

- Founder, Kubes Law Office, PLLC, Serving Design & Construction Professionals (2009 – present)
- Meagher & Geer, PLLP (2002-2009; partner January 2008 through May 2009)
Defend architects, engineers, and contractors; manage complex, multi-party litigations; obtain significant defense settlements and rulings; take cases from inception through trial/arbitration and appeal; advise clients on project management issues; pursue payment claims and mechanic's liens; negotiate and draft contracts; manage client risks through contracts and best practices.
- Thomas R. Olson & Associates (1998 to 2002) (n/k/a Olson & Price, Ltd.)
Represent and defend contractors on project management issues, payment claims; pursue claims for equitable contract adjustment before the Army Corps and the Board of Contract Appeals.
- Minnesota Court of Appeals (1990 to 1998)
Research and write legal memoranda, analyzing wide array of legal issues before the court.
Judicial Clerk to: Honorable Robert H. Schumacher (1998)
Honorable Fred C. Norton (1993 to 1998)
Honorable Doris Ohlsen Huspeni (1990 to 1992)

EDUCATION

- University of Minnesota Law School, J.D., 1990
- College of St. Catherine, B.A. English, political science, 1986
- University of Rennes, France, Institute of Business and Management, post-doctoral student and Professor's Assistant in French MBA program, Fall 1992

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STATE AND FEDERAL BAR ADMISSIONS

- State of Minnesota, 1991
- United States District Court, District of Minnesota, 1991
- United States Court of Appeals, Eighth Circuit, 1999

PROFESSIONAL MEMBERSHIPS AND SERVICE

- Mediator, Minnesota Supreme Court Panel of Qualified Neutrals
- State Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design; Chair of the Board (2009-11); Immediate Past Chair (2011-12); Public Member (2005-13)
- American Institute of Architects – MN, Allied Member (2009-present); Instructor, Architectural Registration Exam Review Seminar on Contract Documents and Services (2005 to present)
- American Counsel of Engineering Companies – MN, Affiliate Member (2009-present), Board Member (2016-present)
- American Society of Interior Design – MN, Industry Partner (2009-present)
- National Council of Architect Registration Boards – Chair, Professional Conduct Committee (2012-13, 2013-14, 2014-15) and member (2009-2015)
- American Bar Association Forum on Construction Law (2001-present)
 - Governing Committee Member (2013-16)
 - Chair, Special Programs & Education Committee (2014 – 2018)
 - Member, Marketing Committee (2013-present)
 - Former Chair, Design Division and Distance Learning Subcommittee
- American Bar Association TIPS/Fidelity & Surety Law Committee (2001-present)
- Fellow of the American Bar Foundation (2016-present)
- Construction Law Section Member:
 - Minnesota State Bar Association
 - Minnesota Defense Lawyers Association

REPORTED OPINIONS / CASES

- *Dakota County v. BWBR Architects, Inc.*, 645 N.W.2d 487 (Minn. Ct. App. 2002)
- *Wong v. Interspace-West, Inc.*, 701 N.W.2d 301 (Minn. Ct. App. 2005), *review denied* (Minn. Oct. 18, 2005).

COMMUNITY SERVICE AND INTERESTS

- Volunteer and fundraiser, Tapestry Family Resource Center and Leukemia Lymphoma Society
- Volunteer and benefactor, St. Catherine University
- Grandmother of three children and Godmother of another three; conversant in French; gourmet cook and pie baker; classically-trained soprano; gardener; traveler; two-time marathon finisher; devotee of the American Arts-and-Crafts philosophy and architecture.

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PUBLISHED BOOKS

- ***Infrastructure from the Ground Up: Civil Engineering Works for Lawyers***; Literary Editor (ABA Nov. 2012)

PROGRAM LEADERSHIP, SPEAKING ENGAGEMENTS, AND PUBLISHED ARTICLES

- **Ethics of Interior Design Practice and Evidence-Based Design in Healthcare: What's next?** Panel member, Interior Design Educators Council Annual Conference, March 2017
- **Ethics in Professional Practice: Learning from Others' Mistakes**; 12th Annual Excel Engineering Technical Conference, February 2017
- **Evaluating Ethical Risk in Professional Practice**; two-hour training, Society of American Military Engineers, Mpls. - St. Paul Post, July 2016
- **Emerging Leaders Course – Ethics and Leadership**; day-long training, ACEC-South Dakota, May 2016
- **Ethical Duties of Design Professionals**; regional webinar sponsored by Cobb Strecker Dunphy & Zimmermann, May 2016
- **Ethics: Learning from Others' Mistakes**; two-hour training for MnSPE, May 2016
- **Evaluating Ethical Risk in Professional Practice**; two-hour training for ACEC-MN, April 2016
- **Ethics for Design Professionals**; two-hour training for Design Arts Seminars, April 2016
- **"Contracting Best Practices for Interior Designers;"** ASID-Minnesota *Design Directions* Magazine, Spring 2016
- **Ethics for Interior Designers**; two-hour trainings for IIDA-Northland (March, April 2016) and ASID-MN (April 2016)
- **Professional Ethics in the Public Arena**; two-hour training for North Central Institute of Transportation Engineers and Women's Transportation Seminar (NCITE/WTS), March 2016
- **"Practice Tips: The Role of Counsel in the Mediation of a Mechanic's Lien Case;"** article co-author, MN CLE Mechanic's Lien Conference, March 2016
- **Ethical Professional Practice: Learning from Others' Mistakes**; ASME-MN, MN Society of Fire Protection Engineers, and in-house at private firms, two-hour trainings (Jan – Mar 2016)
- **Engineering Ethics in the Public Arena**; City Engineers' Association of MN, one-hour training, January 2016
- **Engineering Ethics: The Challenges of Reporting Ethical Violations**; MN Structural Engineers Association, one-hour training, January 2016
- **Ethics Jeopardy**; AIA-MN State Conference, one-hour ethics training, November 2015
- **Ethics: An Engineer's Tool for Risk Management**; Metropolitan Council, two-hour Ethics Training on two separate dates, September and November 2015
- **Ethics in Professional Practice – Learning from Others' Mistakes**; two-hour in-house training for Dunham Associates, November 2015

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- **Ethics from the Ground Up**; ACEC-MN Vertical Construction Conference, October 2015
- **Ethical Engineers & Mentors: Reflections on Best Practices**; MSPE, October 2015
- **Ethical Professional Practice: Learning from Others' Mistakes**; ASHRAE-MN, September 2015
- **Ethics: A Design Professional's Tool for Risk Management**; regional webinar sponsored by Cobb Strecker Dunphy & Zimmermann, September 2015
- **Ethics and Business Issues for Women in Engineering: Let's Talk About It**; ACEC-MN, July 2015
- **Continuing Education – Ethics for Licensed And Certified Professionals**; Hennepin County engineers, two-hour Ethics Training and two separate dates, June 2015
- **Ethical Professional Practice: Learning from Others' Mistakes**; in-house seminar for DLR Group, May/June 2015
- **"Liability Insurance and Risk Management for the Design Professional;"** ASID-Minnesota *Design Directions* Magazine, Spring 2015
- **Ethics: An Engineer's Tool for Risk Management**; ACEC-MN April 2015
- **Professional Ethics in Professional Practice: The Goal is a Merger**; two-hour in-house training for Barr Engineering, February 2015
- **Ethics: An Engineer's Tool for Risk Management**; Engineering Society of St. Paul; Engineering Club of Minneapolis; two-hour session, February and May 2015
- **Ethics: An Engineer's Tool for Risk Management**; Society of American Military Engineers, Mpls. - St. Paul Post, December 2014
- **Ethics in Professional Practice: The Goal is a Merger**; AIA-MN Convention, November 2014
- **Governing Committee Liaison, ABA Forum on the Construction Industry Fall Meeting**; Chicago, IL, October 2014
- **Ethical Professional Practice: Learning from Others' Mistakes**; in-house seminar for HGA, July 2014
- **Complying with MN Rules and Regulations on the Practice of Professional Engineering**; presenter, Half Moon Education - MN Engineering Law, June 2014
- **Complying with Rules and Guidelines on Professional Conduct**; presenter, Half Moon Education - MN Engineering Law, June 2014
- **"Understanding Mechanic's Liens as a Designer's Security for Payment;"** ASID-Minnesota *Design Directions* Magazine, Summer 2014
- **Ethics, Responsibility & Leadership in Professional Practice**; in-house seminar for Barr Engineering, June 2014
- **Managing Risk through Contracts, Communication, and Ethics**; regional webinar sponsored by Cobb Strecker Dunphy & Zimmermann, April 2014
- **Ethics, Responsibility & Leadership in Professional Practice**; ACEC-MN April 2014

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- **Ethical Professional Practice: Learning from Others' Mistakes;** MN Society of Professional Engineers, February 2014
- **Professional Ethics in Professional Practice: The Goal is a Merger;** MN County Engineers Association 69th Annual Conference, January 2014
- **Ethics for Design Professionals: The Key to Risk Management;** regional webinar sponsored by Cobb Strecker Dunphy & Zimmermann, September 2013
- **Managing Engineering Risk & Empowering Practice with Contracts & Communication;** presenter, National Society of Professional Engineers Annual Meeting, July 2013
- **Ethics: An Engineer's Tool for Risk Management;** presenter, Society of American Military Engineers, Mpls. - St. Paul Post, June 2013
- **Empowering your Practice & Managing Risk through Contracts & Communication;** presenter, IFDA, May 2013
- **"Road Mapping the Relationship: Contracts for Interior Designers;"** ASID-Minnesota *Design Directions* Magazine, Winter 2012
- **Empowering your Practice & Managing Risk through Contracts & Communication,** presenter, International Market Square Education Series, November 2012
- **Construction Law Program for State and Local Government Attorneys and University Counsel, Forum Fall Meeting, October 2012,** presenting faculty member, "Owner-Design Professional Considerations for Contracts and Project Delivery Methods"
- **Understanding Mechanic's Liens,** presenter, ASID-MN, October 2012
- **Empowering your Practice & Managing Risk through Contracts & Communication,** presenter, Client in-house Board of Directors Meeting, October 2012
- **Empowering your Practice with Ethics,** presenter, MN Structural Engineers Association, February 2012
- **Professional Ethics in Professional Practice: The Goal is a Merger,** presenter, Annual Conference of the City Engineers Association of Minnesota, January 2012
- **Professional Ethics and Legal Liability,** presenter, MSPE Leadership Institute, January 2012
- **Construction Law 101: Issues for the Government Lawyer,** presenting faculty member on design issues, ABA Government and Public Sector Lawyers Division, October 2011
- **Empowering your Practice with Ethics,** presenter, MN Society of American Military Engineers, June 2011
- **"Get that in Ink and Keep It,"** ASID-Minnesota *Design Directions* Magazine, Spring 2011
- **Empowering your Practice with Ethics,** presenter, MSPE, January 2011
- **"Lessons Learned: Four Steps to Manage Risk and Strengthen your Business,"** ASID-Minnesota *Design Directions* Magazine, Winter 2010
- **Empowering your Practice with Ethics,** presenter, INCOSE/MFESTS, October 2010

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- **Program Co-Chair, ABA Forum on the Construction Industry Annual Meeting,** Austin, Texas, April 2010
- **Empowering Your Practice: Contracts and Communication,** presenter, ASID-MN, April 2010
- **Empowering your Practice with Ethics,** presenter, ACEC MN February 2010
- **Putting BIM in Perspective – A Proactive Approach to Liability Issues,** presenter, ASHRAE 2010 Winter Conference, January 2010
- **Empowering your Practice with Ethics,** presenter, University of MN-Duluth, School of Engineering, November 2009
- **The Expanding Market for Green Certification: Green Products and Traps for Liability,** presenting faculty member, MSBA Construction Law Annual Meeting, June 2009
- **The Forum Experience,** presenting faculty member, ABA Forum on the Construction Industry Annual Meeting, April 2009
- **Insurance and Integrated Project Delivery,** Session Coordinator, ABA Forum on the Construction Industry Mid-Winter Meeting, January 2009
- **AIA-MN ARE Review Course: Construction Documents and Services,** presenting faculty member 2005 to the present
- **Construction Experts: Practice Tips to Help You Help Your Clients,** presenting faculty member, Meagher & Geer seminar series, March 2008
- **Sticks & Bricks,** National Course Co-Chair, ABA Forum on the Construction Industry CLE, November 2007
- **“The Design Professional’s Project Self-Certification: A Key to Efficiency or Liability?”** Author; 26 The Construction Lawyer Fall 2006, at 5
- **Selecting the Best Approach to Project Design,** presenting faculty member, ABA Forum on the Construction Industry CLE, September 2005
- **Fundamentals of Construction CLE Program,** presenting faculty member, ABA Forum on the Construction Industry CLE, November 2004
- **When the Bell Tolls: Statutes of Limitation and Repose,** presenting faculty member, Minnesota CLE, May 2004
- **The Owner’s Interest as an Additional Insured,** presenting faculty/panel member, ABA Insurance Coverage Litigation CLE Seminar, March 2004
- **Let’s Keep It Civil: Ethics and Professionalism in Civil Practice,** Ethics and Elimination of Bias CLE, presenting faculty member, Minnesota Institute of Legal Education, May and July 2003
- **Construction Issues in Minnesota,** presenting faculty member, Lorman Education Services, November 2002 and November 2003
 - “Defective Bids and Bid Withdrawal: Understanding the Issues; Understanding your Options”

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- "Delays in Contract Performance"
- "Contract Termination: Options and Considerations"