



FOULSTON  SIEFKIN LLP
ATTORNEYS AT LAW

WYATT A. HOCH, *Partner*

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ADMITTED TO PRACTICE

- Kansas, 1983
- U.S. District Court for the District of Kansas, 1983
- United States Court of Appeals for the Tenth Circuit, 1985
- United States Court of Federal Claims, 1986

EDUCATION

- Kansas State University
 - B.Arch., *magna cum laude*, 1980
- University of Kansas School of Law
 - J.D., *Order of the Coif*, 1983
 - Editor, *Kansas Law Review*

PRACTICE AREAS

- Construction
- Commercial & Complex Litigation
- Water Rights
- Mediation & Dispute Resolution
- Energy

PRACTICE EMPHASIS

Mr. Hoch's training in architecture and experience in construction place him in a unique position to counsel architects, engineers, and contractors. His practice includes design and construction contract drafting and consulting, claim negotiation, and dispute resolution in both arbitration and court settings on a nationwide basis. Mr. Hoch enjoys Martindale-Hubbell Law Directory's highest "AV" rating for lawyers. He was selected by his peers for inclusion in the *Missouri & Kansas Super Lawyers*[®] list and *The Best Lawyers in America*[®]. In 2011 and 2016 he was named by *Best Lawyers*[®] the Wichita Construction "Lawyer of the Year," and in 2013 and 2017 the Wichita Litigation – Construction "Lawyer of the Year." Mr. Hoch serves as the lead attorney for the firm's construction law practice.

LEGAL EXPERIENCE

- Arbitration counsel to the EPC contractor for a \$40 Million anaerobic-digester project in western Kansas (2014-15).
- Counsel to Kansas State Athletics for drafting and negotiation of design and construction-management contracts for the West Stadium and North End Zone stadium-expansion projects (2012-15).
- Owner's counsel for hotel building-envelope design/construction defect claims in Austin, TX and Pensacola, FL (2013).
- Arbitration counsel to the owner in a successful multi-million dollar claim over the blown structural design for the Cessna Mesa (AZ) Citation Service Center (2011).
- Chair of the arbitration panel for owner-contractor disputes on the Kansas City Plaza West-Edge Development project (2007-09).
- Counsel for a piping subcontractor in a cost and schedule dispute with the design-builder of two Iowa ethanol plants (2008-10).

- Arbitration counsel for the sellers of a privately-held regional corrugating and packaging business (2008-09).
- Successfully defended a design defect and construction administration claim against the architect for a medical office building in *Newman Memorial Hospital v. Walton Construction Co., et al*, 37 Kan. App. 2d 46, 149 P.3d 525 (2007), rev. denied.
- Counsel for the owner in an arbitration over construction of a luxury yacht (2006-07).
- Counsel for the owner in a construction defect and schedule dispute arising from the construction of the Cessna Orlando Citation Service Center (2003-06).
- Co-counsel to the owner in a cost and schedule dispute over the construction of the Cardinal Health corporate headquarters in Dublin, OH (1999-2001).
- Plaintiff's counsel in the successful 1998 federal court trial in *Hatch & Kirk Power Services Corp. v. City of Girard*, involving the expansion of a municipal electrical generating plant.
- Special counsel to the utility owners for evaluation of construction at the Wolf Creek Nuclear Generating Station (1985-86).
- Converted a government termination for default to a termination for convenience, then established the basis for a bad faith termination claim, in *Industrial Coatings, Inc. v. United States*, 11 Cl.Ct. 161, 33 Cont.Cas.Fed. (CCH) P 74,722 (settlement of bad faith claim in 1992).