

## Kevin D. Fowler

### Partner

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Kevin D. Fowler is a partner and litigation lawyer with Foley & Lardner LLP. A member of the Business Litigation and Construction Practices, he practices in various areas of commercial litigation with a focus on hospitality-related litigation, construction law, partnership disputes, and real estate litigation. Kevin's construction practice includes significant experience in contract preparation, bid protests, defect and delay claims. He also has significant experience in international arbitrations before the International Chamber of Commerce (ICC) and in healthcare-related litigation including provider disputes and ERISA matters.

### Representative Experience

- Arbitration award exceeding \$5 million in an international partnership dispute before the International Chamber of Commerce (ICC).
- Defense verdict for private equity fund in multi-million dollar litigation against former partner.
- Arbitration award protecting licensee's exclusive territory including award of all attorneys' fees incurred by licensee.
- Jury verdict in excess of \$2.5 million for contractor client against a performance bond surety of a defaulted subcontractor. The jury verdict exceeded the penal sum of the performance bond in a case of first impression in Florida.
- Defense jury verdict for local government authority denying a \$4 million contractor claim based on changed site conditions.
- Jury verdict of \$850,000 in favor of local government owner client against a contractor and its surety. The jury awarded both late completion liquidated damages of \$1000/day plus liquidated damages related to interrupted owner operations at the rate of \$5,000/hour, as well as actual damages. The contractor and surety ultimately paid the client \$1.5 million to settle following the jury verdict.
- \$1 million plus settlement with property insurers for twice the insured value of client's destroyed property.

- Negotiated and prepared the design-build contract documents on behalf of a foreign auto maker for its joint-venture manufacturing facility with a Big-Three auto maker.
- Prepared contract documents for the design and construction of an international airport terminal in Southwest Florida.
- Negotiated and prepared the construction and design services agreement for a California children's hospital.

## Awards and Recognition

- Peer Review Rated as AV® Preeminent™, the highest performance rating in Martindale-Hubbell's peer review rating system
- Selected for inclusion in the 2012-2017 *Florida Super Lawyers*® lists

## Affiliations

- Serves on the board of directors of the Foundation for 4C (Community Coordinated Care for Children)
- Served on the board of directors for the Notre Dame Club of Greater Orlando
- Volunteers as a Guardian Ad Litem for children in the juvenile court system
- Member, The Florida Bar

## Sectors

- [Airport Services](#)
- [Hospitality & Leisure](#)
- [Hospitality Litigation](#)

## Practice Areas

- [Business Litigation & Dispute Resolution](#)
- [Construction](#)
- [Litigation](#)

## Education

- University of Florida, College of Law (J.D.)
- University of Notre Dame (B.B.A.)

## Admissions

- Florida
- U.S. District Court for the Middle District of Florida
- U.S. Court of Appeals for the Ninth Circuit