

PRINCETON, NEW JERSEY

Princeton Pike Corporate Center,
Suite 203
2000 Lenox Dr.
Lawrenceville, NJ 08648

P: 609.989.5021

F: 609.392.7956

edunham@eckertseamans.com

Edgar Alden Dunham, IV

SPECIAL COUNSEL

Ed Dunham practices in the area of commercial litigation with an emphasis in construction law. He represents contractors, subcontractors, and owners on both public and private projects. Ed counsels and assists clients with the negotiation and administration of construction contracts and in dealing with the claims that often arise on major construction projects.

His clients range from large sophisticated construction companies to single-person subcontractors. Ed has represented public entities and general contractors in large construction bidding disputes and homeowners on small construction lien matters. He prosecutes and defends commercial, residential and public construction lien claim actions. In addition, Ed has settled and tried complex construction matters to successful conclusions in state courts, federal courts, before administrative agencies, and in arbitrations and mediations.

Ed also represents banks in commercial foreclosures and workouts, particularly where there are construction issues involved.

PRACTICE AREAS:

Construction

Litigation

STATE ADMISSIONS:

New Jersey

COURT ADMISSIONS:

U.S. District Court for the District of New Jersey

EDUCATION:

J.D., Rutgers University School of Law, 1988

A.A.S., Mercer County Community College, 1976

REPRESENTATIVE MATTERS

- $2.8 million arbitration award on behalf of two prime contractors on a New Jersey school project involving base contract, change order claims, and delay and schedule impact claims.
- Obtained a verdict for 100 percent of all claims for a subcontractor in two-week jury trial in which an adverse verdict would have resulted in the bankruptcy of the client and its principal.
- Represented and advised bank that foreclosed on construction loan and completed the construction and took over lease with tenant.
- Represented developer of private/public downtown project after its contractor abandoned the project resulting in dozens of construction and municipal liens.
- Represented and negotiated substantial discount for general contractor in suit by its bonding company after general contractor was terminated from municipal project and bonding company took over project.
- Represented and obtained favorable settlement for homeowner in suit by contractor after two weeks of trial.
- Represented sub-subcontractor in a two-day arbitration against a subcontractor resulting in a $202,000 award.

PROFESSIONAL AFFILIATIONS

- Mercer County Bar Association
- New Jersey State Bar Association
- American Bar Association
- New Jersey Builders Association, Codes Committee

COMMUNITY INVOLVEMENT

- Ewing Township Kiwanis Club
- Ewing Township Board of Education, Past Member

NEWS AND INSIGHTS

PUBLICATIONS

- "Contractor's remedy for rising costs, delays, and unavailability arising from tariffs and trade wars," Eckert Seamans' Construction Law Update, Spring 2025.
- "The Pitfalls of Litigation to the Bitter End," Construction Executive, July 27, 2021.
- "The pitfalls of litigation to the bitter end," Eckert Seamans' Construction Law Update, Fall 2020 and NJBA's Dimensions Magazine, Winter 2021.
- "Arbitration May Have Greater Consequences Than Anticipated," Construction Executive Magazine, May 2020.
- "Strategies for construction lien arbitrations in New Jersey," Eckert Seamans' Construction Law Update, Summer 2020.
- "That arbitration you participated in may have greater consequences than you anticipated. The effect of an arbitration on other proceedings," Eckert Seamans' Construction Law Update, Winter 2019.
- "Controlled Insurance Programs on Construction Projects," Construction Executive Magazine. September 2019.
- "Controlled insurance programs on construction projects," Eckert Seamans' Construction Law Update, Spring 2019.
- "Bid Protests on public projects where price is not the deciding factor are an uphill battle," Breaking Ground Magazine, January/February 2019.
- "Bid Protests on public projects where price is not the deciding factor are an uphill battle," Eckert Seamans' Construction Law Update, Fall 2018.
- 'Taking on a New York project? You should be aware of the following statutes," Eckert Seamans' Construction Law Update, Spring 2018.
- "How long am I liable?" Eckert Seamans' Construction Law Update, Spring 2017 and NJBA's Dimensions Magazine, June 2017.
- "Arbitration clauses without express litigation waivers may be unenforceable in New Jersey," Eckert Seamans' Construction Law Update, Spring 2016 and NJBA's Dimensions Magazine, June 2016.

- "Jury Demands in Construction Lien Claim Enforcement Actions in New Jersey," New Jersey Builders Association's Dimensions Magazine and Eckert Seamans' Construction Law Update, January 2016 and Fall 2015, respectively.
- "New Jersey case impacts contractor claims against architects and no damage for delay clauses," Eckert Seamans' Construction Law Update, Spring 2015.
- "New Jersey's statute of repose imposes a hard 10-year cap on construction claims, but only for defective and 'unsafe' work," co-authored, Eckert Seamans' Construction Law Update, Fall 2014.
- "Contractors' direct claims against design professionals in New Jersey may be barred by the Economic Loss Doctrine," Eckert Seamans' Construction Law Update, Fall 2013.