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Gerard Hornby

ASSOCIATE

Gerard Hornby focuses his practice on construction law, representing general contractors, subcontractors, and owners in all stages of public and private construction projects. He has significant construction law experience with bid protests, the prosecution and defense of delay and impact claims, and differing site condition claims. Gerard also counsels clients on the drafting and negotiating of contract terms and conditions, lien rights and payment and collection issues.

During law school, Gerard served as a judicial intern for The Honorable Justice David Wecht on the Supreme court of Pennsylvania, as well as a judicial extern tor The Honorable Judge Joy Flowers Conti on the U.S. District Court for the Western District of Pennsylvania.

At Duquesne University School of Law, Gerard served as the Executive Student Articles Editor of Volume 58 of the Duquesne Law Review, took part in multiple regional trial advocacy competitions, and worked as a Research Assistant to Professor Rhonda Gay Hartman.

PRACTICE AREAS:

Construction

Litigation

STATE ADMISSIONS:

Pennsylvania

COURT ADMISSIONS:

U.S. District Court for the Western District of Pennsylvania

U.S. Court of Appeals for the Third Circuit

EDUCATION:

J.D., Duquesne University School of Law, summa cum laude, 2020

B.A., Duquesne University, magna cum laude, 2017

REPRESENTATIVE MATTERS

- Represented architect and successfully obtained a summary judgment dismissal of all claims against it, totaling approximately $2.2 million.
- Represented global supplier of aluminum can-making machinery and successfully removed mechanics' lien filed against it, totaling approximately $200,000.
- Represented general contractor (minority-owned small business) in a bid protest with the Small Business Administration and Government Accountability Office on an approximately $13 million hospital renovation project.
- Represented prime contractor on a $1.5 million project to build a Federal Aviation Administration 737/A320 live fire training simulator in Kentucky and successfully negotiated design-build subcontract for the project.

PROFESSIONAL AFFILIATIONS

- Pennsylvania Bar Association
- Allegheny County Bar Association, Construction Law Council Member

COMMUNITY INVOLVEMENT

- Reading is FUNdamental Pittsburgh, elementary school reading mentor

AWARDS AND RECOGNITION

- Received a Best Lawyers: Ones To Watch recognition for Construction Law, 2027
- Selected for inclusion in Pennsylvania Super Lawyers – *Rising Stars*, 2024 – 2026
- CALI Award for Excellence in Torts, Constitutional Law, and Pleadings and Discovery Simulation, Duquesne University School of Law
- 2020 ALI-CLE Scholarship and Leadership Award, Duquesne University School of Law
- 2020 Dr. John and Liz Murray Award for Excellence in Student Scholarship, Duquesne University School of Law
- 2020 Shalom Moot Court Award, Duquesne University School of Law

NEWS AND INSIGHTS

PUBLICATIONS

- "Pennsylvania Supreme Court addresses surety liability and arbitration participation," Eckert Seamans' Construction Law Update, Spring 2026.
- "One to watch: Pennsylvania may soon limit anti-indemnity clauses," Eckert Seamans' Construction Law Update, Spring 2026.
- "Recent PA Supreme Court case holds that trial court may award both treble damages and punitive damages in UTPCPL claim," Eckert Seamans' Construction Law Update, Spring 2025.
- "A Practical Guide to Drafting Construction Contracts: Essential Tips and Key Clauses," BreakingGround, June 2024.
- "U.S. Department of Transportation overhauls its Disadvantaged Business Enterprise program," Eckert Seamans' Construction Law Update, Spring 2024.
- "A practical guide to drafting construction contracts: Essential tips and key clauses," Eckert Seamans' Construction Law Update, Fall 2023.
- "The first major revision to the Davis-Bacon Act in 40 years – what it means for the construction industry," Eckert Seamans' Construction Law Update, Fall 2023.
- "Contractors, pay close attention to bid bond requirements on public projects," Eckert Seamans' Construction Law Update, Spring 2023.
- "Compliance with notice provisions in a construction delay claim must be feasible," Eckert Seamans' Construction Law Update, Fall 2022.
- "Challenging an agency's evaluation of a bidder's past performance – An uphill battle," Eckert Seamans' Construction

Law Update, Summer 2022.

SPEAKING ENGAGEMENTS

- "Better Prompts, Better Judgement: Using AI Responsibly in Transactions and Litigation," co-presented at Eckert Seamans' 2026 Joel Lennen Legal Primer, August 6, 2026.
- "A Practical Guide to Drafting Construction Contracts: Essential Tips and Key Clauses," co-presented at the Eckert Seamans' Joel Lennen Legal Primer, August 2023.