

Scott F. Frerichs

Chair, Construction, Fidelity & Surety



Overview

Mr. Frerichs' practice includes all aspect of construction law, including surety claims, owner/contractor disputes, mechanic's liens, bid protests, real estate disclosures, and Registrar of Contractors matters. Having completed nearly 60 trials over his career, Mr. Frerichs' vast litigation experience also includes complex commercial litigation, fidelity law claims, insurance coverage issues, claims of professional negligence, and appellate work.

Contact

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- Phoenix, AZ

Areas of Focus

- Construction Litigation
- Surety Claims and Litigation
- Fidelity Claims and Litigation
- General Commercial Litigation
- Personal Injury, Plaintiff and Defense
- Products Liability Defense
- Professional Liability Defense
- Employment Law Defense
- Employment Law Plaintiff
- Appellate Practice

Education

J.D., Arizona State University, Sandra Day O'Connor College of Law (1989)

- *cum laude*
- Order of the Coif
- Pedrick Scholar

B.S., Arizona State University (1985)

Biography

Mr. Frerichs' practice includes all aspect of construction law, including surety claims, owner/contractor disputes, mechanic's liens, bid protests, real estate disclosures, and Registrar of Contractors matters. Having completed nearly 60 trials over his career, Mr. Frerichs' vast litigation experience also includes complex commercial litigation, fidelity law claims, insurance coverage issues, claims of professional negligence, and appellate work.

Admissions

Admitted to Practice

- Arizona (1989)

Court Admission

- U.S. Court of Appeals, Ninth Circuit (1990)
- U.S. District Court, District of Arizona (1989)

Representative Experience

- Successfully defended a major insurer in a claim against a fidelity policy in a coverage question

regarding an alleged seven-figure loss

- Successfully defended the insured of a major international insurer in a products liability claim against allegations the insured's product failed and caused a fire resulting in a seven-figure loss
- Successfully defended a surety client against a bad faith claim brought by a bond principal
- Successfully defended a surety on a seven-figure performance bond claim while also affirmatively recovering damages of seven figures
- Successfully pursued a recovery in subrogation on behalf of a major insurer who had incurred a seven-figure loss based on fraudulent business practices
- Successfully defended a locally owned business against charges of gender discrimination
- Successfully defended a contractor client against a Registrar of Contractors complaint brought by a subcontractor

Media and Presentations

Articles

- Author, "[The Laws of LEED](#)," *Construction Business Owner Magazine* (2015)
- "Legal Writing for Paralegals," *National Business Institute* (2008)
- "When Construction Projects Go Bad," *Lorman Educational Services Continuing Legal Education* (2006)
- "Stuck in the Middle with Who?" *Surety Claims Institute* (2002)
- "Handling Construction Defect Mold Claims," *National Business Institute Continuing Legal Education* (2002, 2003)

Presentations

- "Surety Association of Arizona – Conference call: Force Majeure contract provision language and the New SBA Coronavirus Lending Programs ," Surety Association of Arizona (April 15, 2020)
- Co-Chair of the ABA Fall Fidelity Conference in Boston, Massachusetts (2010)

Memberships

State Bar of Arizona

American Bar Association

- Co-Chair, ABA Fall Fidelity Conference in Boston, MA (2010)

Maricopa County Bar Association

National Bonds Claim Association

Surety Claims Institute

Community Involvement

Herberger Theater Center

- Member, Board of Directors (2019 - present)
- Chair, Fall Festival of Arts (2020 - 2021)

Honors and Awards

- Listed, [AzBusiness Leaders](#) in the category of Construction (2020)
- Listed, *The Best Lawyers in America*® in the categories of Commercial Litigation (2021) and Construction Law (2020 - 2021)