



**Gwen P. Weisberg**

Partner

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617-406-4591 direct

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### Experience

Gwen P. Weisberg is a Partner in the Professional Practices Group at Donovan Hatem LLP and a trained mediator. Gwen has extensive litigation experience in state and federal courts, through trial and appeal, including construction, corporate, commercial, real estate, surety, federal receivership and insurance defense litigation matters. She provides proactive risk management services to clients to assist in effectively operating their practices and avoiding litigation, including presenting industry innovations and legal developments, restructuring and redrafting contracts, and negotiating matters in advance of litigation to enable project delivery.

Employing her multi-state knowledge base, Gwen creatively and efficiently manages and resolves claims for design professionals throughout the United States. She evaluates realistic exposure to enable productive settlement negotiations, manage expectations and establish budgetary goals. Additionally, she manages all administrative aspects of claims management programs for insurance clients including developing billing protocols, ensuring billing reconciliation, and negotiating billing disputes.

Moreover, Gwen develops legal and fact-based defense strategies for success in alternative dispute resolution and trial. She has litigated student loan bankruptcy discharge proceedings, and mediated and arbitrated commercial and construction disputes, and represented clients before federal and municipal agencies and administrative boards.

Gwen also engages in all aspects of employment-based immigration, including non-immigrant visas, permanent residency petitions, immigration compliance, and I-9 employment verification audits.

### Admitted to Practice

- Connecticut
- Massachusetts
- U.S. District Court for the District of Connecticut
- U.S. District Court for the District of Massachusetts
- U.S. District Court for the Southern District of New York

- U.S. District Court for the Eastern District of New York
- U.S. Court of Appeals, First Circuit

### Education

- Temple University School of Law (J.D., 1986)
  - Moot Court Honor Society
- University of Massachusetts (B.S., *cum laude*, 1980)
  - Eta Sigma Delta Honor Society

### Trained Mediator

### Business and Professional Associations

- Massachusetts Bar Association
- Connecticut Bar Association
- American Bar Association
- American Immigration Lawyers Association (New England and Connecticut Chapters)

### Publications and Speaking Engagements

- Speaker, “15 Most Controversial Contract Provisions: What You Need to Know,” Donovan Hatem Design Professional Roundtable (March 2023)
- Speaker/Moderator, “Design-Build Design Service Agreements”, ACEC Design-Build for Consulting Engineers (July 2022)
- Speaker, “Strategies for Effectively Defending and Resolving Claims Through Alternative Dispute Resolution”, 2021 ACEC National Fall Conference (October 2021)
- Panelist, Fundamental Construction Law Issues at Each Stage of the Project, Boston Bar Association (May 2020)
- Panelist, “Design Professional Claim Trends 2019”, 4<sup>th</sup> Annual Construction Defect ExecuSummit (December 2019)
- Author, “The Massachusetts Supreme Judicial Court Reaffirms Ruling that the Statue of Repose Permanently Bars All Claims” *Donovan Hatem Design & Construction Management Professional Reporter* (July 2019)
- Contributing Author, “Design Build Project Delivery,” *Professional Times*, (Fall 2018 CLM)
- Speaker, “Immigration Pointers for Businesses,” Donovan Hatem Design Professional Roundtable (Nov. 2018)
- Speaker, “Pitfalls, Mitigation of Risk and the Role of Standard of Care in Early Pricing of Projects,” AIA Large Firm Round Table (Sept. 2018)
- Speaker, “Design Build,” CLM Conference (Jun. 2018)
- Speaker, “Review of 2017 AIA Contract Documents,” ABX Conference (Nov. 2017)
- Speaker, “Immigration,” ACEC/MA (Nov. 2017)
- Speaker, “Avoiding Contract Claims and Hazardous Communications: Key Provisions in Strong Design Professional Agreements,” Donovan Hatem Design Professional Roundtable (Dec. 2016)
- Speaker, “Employment Practice Issues for Design Professionals,” Donovan Hatem Design Professional Roundtable (Jun. 2016)
- Speaker, “Practice Requirements for Design Professionals,” Donovan Hatem Senior Management Client Session, (Feb. 2016)

- Speaker, “Immigration,” Donovan Hatem Senior Management Client Session, (Feb. 2015)
- Speaker, “Recent Court Decisions That Impact Design Professionals,” Donovan Hatem Design Professional Roundtable, (2015)
- Speaker, “Art of Negotiations and Mediation,” Isenberg School of Management, UMass Amherst, Hospitality and Tourism Department, (2015)
- Speaker, “Immigration Pointers for Employers,” (2011)
- Employer Liability for Compliance with Export Control Laws, (2011)
- Reporting Requirements for Residents Maintaining Foreign Bank and Financial Accounts, (2011)
- Contributing Author, “Chapter 4: Architect-Engineer Contracting,” *Federal Government Construction Contracts*, Editors: Adrian L. Bastianelli III, Andrew D. Ness, Joseph D. West, published by American Bar Association, (2010)
- *E-Verify is Alive, Well, and Gaining Speed*, The DH Benchmark, (summer 2008)
- *New Developments in Employment Verification*, The DH Benchmark, (winter 2008)
- *Immigration Impact on Employment Practices*, The Design and Construction Management Professional Reporter, (July 2007)

#### **Additional Information**

- Reaching the height of professional excellence, Gwen has received an AV Peer Review Rating from *Martindale-Hubbell*
- Hillel House at the University of Massachusetts Amherst  
(President 2009-2011, Executive Committee 2005-Present)
- University of Massachusetts Hospitality and Tourism Management Department  
(Member Emeritus, Leadership Advisory Board)
- University of Massachusetts Amherst Alumni Association  
(Member, Board of Directors; Treasurer 2017-Present)