



# Tony W. Fehrenbacher

## PARTNER

### CONTACT

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### EDUCATION

University of Notre Dame, J.D.

Indiana University, B.A., *Honors*

### CERTIFICATIONS

Construction Insurance & Risk Specialist (CRIS) by the International Risk Management Institute, Inc. (IRMI)

Tony W. Fehrenbacher is a Partner at Manion Stigger, LLP. Tony brings two decades of prosecuting and defending complex claims to the table when representing construction contractors and suppliers. Tony grew up in the construction industry, and his firsthand experience in industrial construction enables him to comprehend and process industry-specific nuances and details underlying construction projects and disputes. Tony “travels” with contractor and supplier clients around the United States as he is admitted to practice law before nine different state Supreme Courts and multiple federal jurisdictions including the U.S. Court of Federal Claims and the U.S. Court of Appeals for the Federal Circuit.

Tony’s practice is unique even among construction law practitioners in that he has extensive knowledge, experience, and understanding of insurance coverages that affect construction professionals. Tony is one of a handful of construction lawyers certified by the Insurance Risk Management Institute (IRMI) as a Construction Risk Insurance Specialist (CRIS) and has held that distinction since 2015. Tony advises construction clients on complex and confusing insurance issues arising from policies often involved in construction projects such as commercial general liability, professional liability, builder’s risk, property casualty, OCIPs/CCIPs wrap-ups, and more. Tony represents clients in challenging insurance coverage disputes and lectures on construction insurance coverage issues in seminars with national audiences.

The uniqueness of Tony’s practice – a construction law practice coupled with a construction insurance focus – has earned him the respect of his peers and of honorary construction law societies. He is included in the 2019-2024 editions of The Best Lawyers in America® for Construction Law and Litigation – Construction and is the recipient of Martindale-Hubbell’s AV Preeminent® rating, given to attorneys ranked at the highest level by their peers.

### REPRESENTATIVE EXPERIENCE

- Defended construction client in \$30M bodily injury litigation arising from an industrial construction accident involving complex insurance coverage issues and multiple lawsuits in federal and state courts. Resolved the dispute where client paid nothing.
- Defended construction client from a multimillion-dollar defective work claim by an international manufacturer owner involving complex general liability coverage issues. Resolved the dispute where client paid nothing.
- Successfully prosecuted large differing site conditions (DSC) claim against public utility project owner and project design professionals involving complex general liability and professional liability insurance coverage issues.

### AWARDS

Construction Lawyers Society of America (CLSA)  
• Charter Fellow  
• Construction Law  
• Litigation – Construction

The Best Lawyers in America® 2019-2024

Indiana super Lawyers 2024  
• Construction Litigation  
• Insurance Coverage  
• Business Litigation

Martindale-Hubbell’s AV Preeminent® rating

### ADMISSIONS

Supreme Court of Illinois  
Supreme Court of Indiana  
Supreme Court of Iowa  
Supreme Court of Kansas  
Supreme Court of Kentucky  
Supreme Court of Missouri  
Supreme Court of Nebraska  
Supreme Court of Tennessee  
Supreme Court of Texas  
United States Court of Appeals for the Federal Circuit  
United States Court of Federal Claims  
United States Court for the District of Colorado  
United States Court for the Southern District of Indiana  
United States Court for the Eastern District of Kentucky  
United States Court for the Western District of Kentucky

**Manion | Stigger**  
A CONSTRUCTION LAW FIRM

### REPRESENTATIVE EXPERIENCE CONT.

- Successfully prosecuted large lien claim for construction client where project was two times over-budget, had millions of dollars in unsatisfied mechanics liens, project's owner went bankrupt, and project lender terminated construction prior to completion. Contractor client received payment on its lien claim.
- Obtained judgment for contractor client against public entity arising from a contract and DSC dispute arising from a large public utility project. Contractor client received payment in full on all invoice amounts.
- Defended contractor client against OSHA safety citation resulting in dismissal of all safety orders and fines in matter where worker fell from elevated platform resulting in worker's permanent paralysis.
- Obtained judgement in litigation involving the fabrication, delivery, and installation of structural components for large highway bridge project.
- Secured preliminary injunction against a public entity and then successfully overturned that entity's award of a large multimillion-dollar construction package to a client's competitor in violation of public bid laws.

### PROFESSIONAL INVOLVEMENT

#### American Bar Association

- Forum on Construction Law, Division I: Litigation & Dispute Resolution; Division V: General Contractors; Division VII: Insurance, Surety & Liens; Division IX: Subcontractors & Suppliers

#### Illinois State Bar Association

- Construction Law Section

#### Indiana State Bar Association

- Construction & Surety Law Section

#### Iowa Bar Association

- Construction Law Section

#### Kansas Bar Association

- Construction Law Section

#### Kentucky Bar Association

- Construction & Public Contract Law Section

#### Missouri Bar Association

- Litigation Division, Construction Law Committee

#### Nebraska Bar Association

- Construction Law Section

#### Tennessee Bar Association

- Construction Law Section

#### Texas Bar Association

- Construction Law Section

#### Associated Builders and Contractors (ABC) of Indiana/Kentucky

#### Associated General Contractors (AGC) of Indiana

#### Construction Lawyers Society of America (CLSA)

- Charter Fellow

#### Diversity Law Institute (DLI)

#### Tennessee Association of Construction Counsel (TACC)

#### Trial Law Institute (TLI)