

David Kiefer

Partner

Trial and Global Disputes / International Arbitration and Litigation

New York: +1 212 556 2232
dkiefer@kslaw.com



David Kiefer is a partner in our Construction Litigation and International Arbitration practices and specializes in litigation and arbitration. David's practice is focused primarily on disputes over the construction of large energy, commercial and infrastructure projects. David is intimately familiar with the technical aspects of these projects, as well as with the typical commercial terms that govern the relationship between owners, contractors and design professionals, making him an effective and efficient advocate.

With over 20 years of litigation and arbitration experience, David has successfully prosecuted and defended large and complex claims before federal and state courts as well as domestic and international arbitration panels. He has represented clients in arbitrations before the International Chamber of Commerce, the International Centre for Dispute Resolution and the American Arbitration Association and in litigations before state and federal courts in a number of jurisdictions. David is currently the co-chair of the New York City Region of the Society of Construction Law, North America.

Matters

Arbitration

Successful representation of a **nuclear reactor designer and equipment supplier** in an ICC arbitration, securing \$158 million award against an Asian national power company arising out of the construction of a nuclear power plant.

Representing an owner in a \$600 million ICC arbitration over the design and construction of floating **oil and gas processing plants** off the coast of Brazil.

Representing **the owner of a Colombian oil refinery** in a multibillion-dollar dispute against an EPC contractor before the ICC.

Represented **an independent power producer** in an arbitration involving more than US\$500 million in delay, inefficiency and defect claims arising from the design and construction of a super-critical, coal-fired power plant.

Representation of **a contractor** accused of bribing a public entity in an AAA arbitration over the

validity of contracts to construct a hospital valued at more than US\$12 million.

Represented **one of the world's largest heavy equipment suppliers** in an ICC arbitration against a major construction and engineering company concerning a project to interconnect the power grids of six Central American countries.

Represented **a major global contractor and power equipment supplier** in an ICC hearing over the design and construction of a power plant in the Caribbean.

Represented **a specialized contractor** in several weeks of an AAA hearing against a university over the design and construction of a sports facility.

Litigation

Prosecution of bad faith and willful misconduct claims against an EPC contractor on behalf of **a power generation and development company** over the design and construction of a natural-gas-fired, combined cycle power plant.

Represented **a public owner of a light rail transit project** in months of trial against a design-build consortium involving more than US\$300 million in claims for disputed extra work, delays and defects.

Representation of **a developer of luxury condominiums** in New York City in consolidating and effectively litigating several lawsuits against various trade contractors over claims of design and construction defects.

Representation of **numerous general contractor trade associations** that acted as *amici curiae* before the United States Court of Appeals for the Second Circuit in the World Trade Center Disaster Site litigation.

Represented **a manufacturer of specialized membrane products** in a state court action defending against claims of fraud and design defects related to a water treatment facility.

Credentials

EDUCATION

J.D., George Washington University, honors

B.A., Lafayette College, honors

ADMISSIONS

District of Columbia

New Jersey

New York

Recognition

Who's Who Legal Construction: Lawyers

WHO'S WHO LEGAL, 2019

A Top New York Lawyer in Commercial Litigation

THE BEST LAWYERS IN AMERICA, 2013–2016

Real Estate and Construction

Insights

ARTICLE

February 15, 2020 • Source: *The Voice (Construction Users Roundtable)*

Know (and Don't Waive!) Your Rights on a Construction Project

January 28, 2020 • Source: *CURT.org*

Large-Scale Construction Projects: To Arbitrate or Not to Arbitrate – That is the Question

October 28, 2019 • Source: *CURT's The Voice*

Mitigating the Risk of Contractor Default

[VIEW ALL ON KSLAW.COM](#)

Events

SPEAKING ENGAGEMENT

December 3, 2019

David Kiefer to Speak at ICDR-AAASM & AMCHAM 10th Annual International Arbitration Conference

October 2, 2019

David Kiefer to Speak at Society of Construction Law Event About Collaborative Contracts

December 12, 2018

David Kiefer to Speak at Construction SuperConference 2018

[VIEW ALL ON KSLAW.COM](#)

News

IN THE NEWS

May 22, 2020 • Source: *Global Arbitration Review*

David Kiefer, James Berger and Viren Mascarenhas represent Turkey in arbitration regarding the sale of a media outlet

RECOGNITION

July 10, 2020

King & Spalding Earns Top Spot on Global Arbitration Review's GAR 30 Ranking

June 15, 2020

King & Spalding Earns Top-Tier Rankings in Legal 500 United States 2020 Guide

[VIEW ALL ON KSLAW.COM](#)