Special Advertising Section

Smith, Bundy, Bybee, & Barnett, PC

Construction, Commercial and Real Estate Litigation

Paying a premium for your new home or condominium does not guarantee that it was properly designed or constructed. For more than 20 years, homeowners' associations and individual homeowners in South Carolina confronted with defective design and construction have turned to the firm of Smith, Bundy, Bybee, and Barnett.

With a combined 125 years of experience in construction, commercial and real estate litigation Ellison Smith, Bill Bundy, Rick Bybee and Stan Barnett draw on their individual backgrounds in a niche practice that provides a complete spectrum of litigation services. Smith's practice is concentrated in the fields of eminent domain and environmental law. Bundy grew up in a family with a construction business and worked in that field before and during law school. Bybee began his legal career representing the largest condemning and construction agency in the State of South Carolina. Barnett formerly represented the United States Corps of Engineers in both construction and environmental matters. The Mt. Pleasant firm has handled every aspect of public or private construction projects, from residential and commercial properties, and condominium owners' associations to government agencies and other condemning authorities.

With a combined 125 years of experience in construction, commercial and real estate litigation, (from left) Stan Barnett, Bill Bundy, Ellison Smith and Rick Bybee draw on their individual backgrounds in a niche practice that provides a complete spectrum of litigation services.

Complex Condominium Litigation

Any homeowners' association in need of legal services relating to construction defects owes it to their members to give Smith, Bundy, Bybee and Barnett serious consideration.

"There is much more to condominium litigation than filing a complaint. Condominium defect litigation requires not only a thorough knowledge of construction and insurance law, but the expertise to prepare for and prosecute the case through trial and appeal, if necessary. When it is known that you can and will try a case, it is likely a reasonable and equitable resolution can be obtained," says Bundy, who has tried large and complex construction and condominium defect litigation since the early '80s. It is also the reason that much of the firm's business comes from other attorneys who rely on the firm's expertise to handle these specialized litigation matters.

Full Spectrum of Service

Cases involving eminent domain, inverse condemnation and other land-use issues are also within the scope of the firm's practice. Smith was trial counsel in the landmark United States Supreme Court case Lucas vs. the South Carolina Coastal Council, and Bybee successfully represented the State of Georgia in challenging a condemnation for a half-billion-dollar port project on the grounds that it was an unconstitutional taking for private use. Smith and Bybee regularly represent landowners in the unique field of condemnation and other land valuation disputes. Barnett and Smith also routinely handle environmental litigation matters for landowners and developers.

"Our respective areas of practice allow us a unique perspective on a private or public project's development, from the acquisition and permitting stage through the project's completion and subsequent defect claims stage," says Bybee.

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