



Daniel K. Felsen

Partner

McManus & Felsen LLP

Telephone: 202-296-9260 ext. 1218

Email: dfelsen@mcmanus-felsen.com

LinkedIn:

<https://www.linkedin.com/in/danielkfelsen>

Practice Areas

- [Construction](#)
- [International Arbitration](#)
- [Government Contracts](#)
- [Commercial Litigation](#)

Education

- University of Virginia School of Law, Juris Doctor, 1991
- University of Virginia, Bachelor of Arts Degree in Economics, 1988

Bar Admissions

- District of Columbia
- Maryland
- Virginia
- United States Court of Appeals for the Fourth Circuit
- United States Court of Federal Claims
- United States District Court for the District of Columbia
- United States District Court for the Eastern and Western Districts of Virginia
- United States District Court for the District of Maryland
- United States Bankruptcy Court for the Eastern District of Virginia

Overview

Daniel is a partner of McManus & Felsen, focusing his practice on construction and government contracts. His experience spans a wide variety of public and private projects, including commercial, residential, federal, airports, roads, hotels and resorts, hospitals and research facilities, and power and utility projects. Daniel litigated before state and federal courts and national and international arbitration panels. His clients include owners, contractors, subcontractors, suppliers, architects, and sureties.

Experience

Daniel defended a design-builder in arbitration from over \$50 million in claims by a subcontractor arising out of the construction of a 101-km road in Afghanistan. During litigation, he drafted pleadings and motions, deposed witnesses, prepared fact and expert witness for trial, examined and cross-examined witnesses, and wrote post-hearing briefs.

He managed claims for a national contractor on a \$350-million federal project, which involved cases in the United States District Court for the Western District of Pennsylvania and the United States Court for the District of Columbia, and separate arbitrations regarding the project.

Daniel represented a general contractor in an arbitration with a subcontractor where his client asserted claims of more than \$3 million, and the subcontractor asserted claims of more than \$7 million. He was involved in every aspect of the arbitration (before a three-member panel). In addition to the arbitration, the dispute involved two federal cases, one in which the subcontractor pursued the client's surety and another in which the subcontractor sought to stop or stay the arbitration.

Daniel defended a general contractor against over \$11 million in subcontractor claims arising out of the construction of a \$500 million state-of-the-art bio-containment laboratory and research facility.

He represented a general contractor advancing over \$10 million in claims, including delay and cumulative-impact claims, against the United States Government, arising out of the construction of a United States Embassy.

Daniel also has experience in bankruptcy matters. When a prominent subcontractor went into bankruptcy, the bankruptcy trustee retained him as special counsel to advise on suretyship and construction-related issues. This bankruptcy was one of the largest in the United States Bankruptcy Court for the Eastern District of Virginia in recent years.

Prior Experience

Katz & Stone LLP, Associate, 1991–1998

As an associate attorney for this construction-law firm, Daniel investigated facts, reviewed project documents, interviewed witnesses, researched procedural and substantive legal issues, wrote complaints, responsive pleadings, discovery requests and responses, motions of all types, and appellate briefs, prepared witnesses for deposition, deposed witnesses, argued motions, and tried construction cases.

Publications

Some of Mr. Felsen's published articles and presentations on issues relevant to the construction industry include the following:

- *Identification and Notification: Keys to Success*, WPL Publishing Co.'s Online Course on Management of Construction Claims & Change Orders (2017) (Webinar, co-presenter)
- Virginia General Conditions for Public Projects, Virginia Law Foundation (1993)
- Design/Build in Virginia: Drafting the Plan, Virginia Law Foundation (1997)

- Design/Build in Virginia: Drafting the Plan, Virginia Law Foundation (1997) (Co-Author)
- Conditional Payment Clauses, Construction Risk Management (1998) (Co-Author)
- Performance and Payment Bond Claims, 18th Annual Construction Insurance Conference, International Risk Management Institute (1998) (Co-Author)
- Bond Claims: The Miller Act and Virginia's "Little Miller Act" For Associated General Contractors of Virginia, Inc. (Mar. 6, 1998) (Co-Author)
- Overview of Changes in the AIA General Conditions, Construction Risk Management (1998) (Co-Author)
- Virginia General Conditions for Public Projects, Virginia Law Foundation (1993) (Co-Author)