



Amy E. Garber
Attorney



Direct: 703.547.4694
Office: 703.547.4692
Fax: 240.912.3031
Amy@werthermills.com
www.werthermills.com

BIO

Amy has litigated disputes for over a decade. As a trial lawyer, she recognizes and appreciates the benefits of early resolution and has significant experience mediating, settling, and streamlining disputes. She believes that even the most complicated cases can, and should, fit into clear concepts to utilize for successful outcomes.

Her practice focuses on construction law, with cases ranging from straightforward contract disputes to high-stakes, complex claims with multiple parties. She routinely handles, among other issues, cases involving construction defects, Federal Miller Act payment bond claims, performance bonds, mechanic's liens, and delay and impact claims. She tries cases in state and federal court in Virginia (including, regularly, the "Rocket Docket" United States District Court for the Eastern District of Virginia), the District of Columbia, and before arbitration tribunals and the Board of Contract Appeals. She also guides federal contractors through the process of preparing construction claims for submission to the federal government, from the REA stage through appeals.

In addition to litigation, she drafts, revises, negotiates, and guides clients through construction contracts in the private sector involving large-scale commercial, residential, and mixed-use projects.

In 2005, she graduated magna cum laude with a BA in International Affairs from the Elliott School of International Affairs at The George Washington University, where she was in the Honors Program and a member of Phi Beta Kappa. She then obtained her J.D. from Cornell Law School in 2008 with a concentration in public law, where she served as a notes editor for the International Law Journal, and was selected for an Honors Fellowship (teaching assistant role).

She has been recognized in Best Lawyers: Ones to Watch in America in its inaugural issue in 2021 and 2022 and was selected as a Super Lawyers Rising Star from 2015-2019.

ADMITTED IN NY, VA & DC

PUBLICATIONS

- Co-Author, "New Mothers 'Making it Happen': New Federal Laws Support Expectant and Nursing Mothers in the Workplace," *The National Law Review*, 2023
- Co-Author, "Virginia is for Lovers . . . of Strict Contract Language: New Law Prohibits Pay-if-Paid Clauses in Construction Contracts," *The National Law Review*, 2022
- Co-Author, "You've Gotta Fight for Your Right To Get Paid: The Right to Stop Work," *The National Law Review*, 2021
- Co-Author, Chapter 1: The Construction Industry, "Construction Issues in Bankruptcy," American Bankruptcy Institute, 2020

BIG WINS:

- Obtained full award on behalf of GC against millwork subcontractor on project involving construction of a mixed-use building in Arlington, Virginia.
- Achieved denial of government's motion to dismiss after over two years of briefing on behalf of GC in consolidated appeal before Armed Services Board of Contract Appeals involving challenge to default termination and delay claim.
- Part of team that negotiated global settlement of over \$50 million delay and labor inefficiency claim submitted to United States Army Corps of Engineers; prior to settlement, negotiated liquidation agreements with over twenty subcontractors and assisted in preparation of claim; tried related subcontractor pass-through appeal in week-long trial before Armed Services Board of Contract Appeals.