

# David G. Parry

## PARTNER

david.parry@stinson.com

Direct: 612.335.7201

Office: Minneapolis



**Dave understands the challenges associated with resolving complex business, commercial and technical disputes efficiently and is dedicated to providing first-rate client service.**

Dave handles significant disputes, project development, and contracting matters involving complicated legal, technical, performance, and scientific issues in the areas of business and commercial litigation, construction law, project development, energy, renewable energy, performance contracting, technology, and transportation law. He represents clients in state and federal courts and in arbitrations throughout the United States.

Dave regularly handles cases involving construction and design defects, performance and energy efficiency guarantees, disputes involving equipment, systems and services, delays, disruptions and cost overruns, lease and purchase agreement defaults, government contracting, solar, gas turbine and cogeneration facilities, transportation, utility service, lien, bond, and equitable price adjustment claims. Dave also advises and assists owners, developers, contractors, and equipment suppliers in connection with engineering, procurement, and construction contracts, equipment supply contracts, long-term service agreements, installation and commissioning, balance of plant contracts, design-build, and other agreements and issues relating to project development, delivery, and performance of construction, energy,

## PRACTICES & INDUSTRIES

- Business Litigation
- Construction
- Energy
- Renewable Energy
- Government Contracts & Investigations
- Real Estate Litigation
- Mining

## ADMISSIONS

- Minnesota
- District of Columbia
- Alaska
- U.S. District Court for the District of Minnesota
- U.S. District Court for the District of Alaska
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Court of Appeals for the Eighth Circuit
- U.S. Court of Appeals for the Fifth Circuit

**STINSON**

STINSON LLP \ STINSON.COM

## David G. Parry

and renewable energy projects. He advises energy services companies on federal and state performance contracting laws and guaranteed energy savings contracts, assists with public and private projects, and helps owners, developers, carriers and other businesses resolve contract, lease, real estate and transportation related disputes.

He is active in the National Association of Energy Services Companies (NAESCO), where he conducted a five part web-based seminar series for NAESCO focusing on best practices in performance contracting and the measurement and verification of energy savings. He is also active in the Energy Services Coalition (ESC), and provides the annual case update to the Minnesota State Bar Association's Construction Law Section.

### EXPERIENCE

Represented a hydrodemolition contractor in a multimillion dollar dispute involving concrete removal and restoration for a dam renovation project administered by the Army Corps of Engineers. The parties pursued numerous defect, delay, impact, payment and insurance claims in multiple forums. Obtained partial summary judgment, among other relief, for the contractor on a Miller Act claim.

Represented a railroad in defense of a CERCLA contribution action involving an estimated \$200 million cleanup of soils, groundwater, and sediments at a site in a former industrial harbor on Lake Superior. In addition to the technical challenges of chemical fate, transport, and fingerprinting, the case posed unusual historical and evidentiary issues to deal with events that allegedly occurred between 1885 and 1947.

Represented the operator of a cogeneration power plant in an arbitration brought by the host chemical plant for equipment damage and lost profits resulting from the cogeneration plant's shutdown and inability to supply electricity and steam after an electrical storm. Obtained the dismissal of a \$25 million lost profits claim based on a contractual damage limitation.

### EDUCATION

University of Michigan Law School, J.D., 1996

University of California, Los Angeles, B.A.,  
*magna cum laude*, 1992

STINSON

STINSON LLP \ STINSON.COM

## David G. Parry

Represented an electric power producer in a nine week arbitration involving multimillion dollar warranty claims against a manufacturer for equipment defects and performance deficiencies in a fleet of combustion gas turbines.

Represented multiple owners and project developers in mechanic's lien and ground lease disputes involving numerous community solar garden projects throughout Minnesota.

Represented a commercial building owner in a dispute with a single use commercial tenant over the interpretation and application of long-term ground leases drafted nearly a century ago.

Represented a licensed drug manufacturer in a multi-party contract and intellectual property dispute. Obtained dismissal for the manufacturer on jurisdictional grounds.

Advised and assisted a national energy services company in resolving a series of disputes involving performance contracting projects with the United States Navy.

Represented a national energy services company on a performance bond claim stemming from a solar energy project with a major municipality. Secured solar equipment and obtained payment for the contractor.

Represented an owner/developer in litigation involving the construction of an underground gas pipeline crossing state lines.

Obtained defense and indemnity for a railroad in a dispute involving claims for design and construction defects, and water intrusion, in a tunnel and overpass structure.

Regularly advises and assists electric power cooperatives with various legal issues, transactions and disputes.

Represented multiple energy services companies in resolving performance contracts and other disputes with state and local government entities and school districts in multiple states throughout the country.

Advised several national energy services companies concerning energy savings performance contracts for large, multi-phase building retrofit projects with federal, state and local government entities.

Handled several large construction claims on military bases in Alaska.

## RECOGNITIONS

Selected to the 2024 edition of *Best Lawyers in America*©

# David G. Parry

## PROFESSIONAL & CIVIC ACTIVITIES

Minnesota State Bar Association

Alaska Bar Association

Hennepin County Bar Association

Hennepin County VLN Pro Bono Housing Court Clinic

National Association of Energy Services Companies (NAESCO)

Energy Services Coalition (ESC)

## NEWS

175 Stinson Attorneys Selected to the 2024 *Best Lawyers in America* List  
08.17.2023

Chugach Electric Acquisition Featured in *Global Legal Chronicle*  
12.03.2020

Stinson Serves as Legal Counsel on Major Alaskan Energy Acquisition  
11.17.2020

## SPEAKING ENGAGEMENTS

Educational Seminars

NAESCO Webinar Series: "Delivering a Quality Performance Contract and Energy Efficiency Project"  
Coordinated and presented by Dave Parry, Steven Lindemann and James Bradford, P.E., Ph.D.

- Session 1: "Preparing and Implementing Effective Contracts and M&V Plans," October 11, 2011
- Session 2: "The use of Assumptions and Stipulations in an M&V Plan," November 8, 2011
- Session 3: "Tracking, and Accounting for, Changes during the Performance Period," December 13, 2011
- Session 4: "Operational Savings and Capital Cost Avoidance," January 10, 2012
- Session 5: "Specialized Topics in Performance Contracting – (i) New Construction, (ii) Revenue Enhancements and Improved Metering Technology, and (ii) Water Savings," February 14, 2012

Minnesota State Bar Association Annual Construction Law Case Update

**STINSON**

STINSON LLP \ STINSON.COM

## David G. Parry

Stinson's 28th Annual Construction Law Update, December 9, 2015

2024 Construction Law Update

03.05.2024

33rd Annual Construction Law Update

02.15.2022

2021 Construction Law Update

01.28.2021

2020 Construction Law Update

Stinson LLP: Minneapolis, 01.29.2020

**STINSON**

STINSON LLP \ STINSON.COM