

## Joel P. Williams

Counsel

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### OVERVIEW

Joel's practice focuses on fidelity and surety law, insurance law, construction law and commercial litigation. He has substantial experience assisting insurers and sureties in fidelity and commercial surety bond matters, including claims, disputes and litigation involving commercial crime policies, commercial surety bonds and financial institution bonds. Joel has developed particular experience in coverage claims and litigation involving employee theft, computer fraud, probate bonds and other fiduciary bond claims. He regularly assists clients in matters involving performance and payment bonds, motor vehicle dealer bonds, title agent bonds, and other license and statutory bonds. He has successfully argued cases in state and federal courts at the trial and appellate levels. His professional publications have appeared in law reviews, professional journals and periodicals addressing a broad range of fidelity, surety and insurance law topics.

Joel lived for several years in Germany where he completed high school and commenced his undergraduate studies.

### RECOGNITION AND INVOLVEMENT

Joel has been selected by his peers as a *Super Lawyer* every year since 2012 in the area of surety law.

He has been recognized for his pro bono service, which has focused on representing low-income senior citizens through the Baltimore City Bar Association's Senior Legal Services office.

### REPRESENTATIVE MATTERS

Represented performance bond surety in the trial court and on appeal in a case of first impression in Maryland construing the notice conditions of an AIA A312 performance bond. In *Wildewood Operating Co., LLC v. WRV Holdings, LLC*, 303 A.3d 1273 (Md. App. 2023), the Appellate Court of Maryland affirmed summary judgment in favor of the surety in a reported opinion, holding that because the Owner failed to provide timely notice under bond Section 3.2, it did not satisfy a

### PRACTICES

Commercial Litigation

Construction and Surety

Insurance Coverage and Bad Faith

### BAR AND COURT ADMISSIONS

Maryland

District of Columbia

Virginia

U.S. District Court for the District of Maryland

U.S. District Court for the District of Columbia

U.S. District Court for the Eastern District of Virginia

U.S. Court of Appeals for the Fourth Circuit

### EDUCATION

University of Baltimore School of Law, J.D., *magna cum laude*, 1997

University of Maryland, College Park, Maryland, B.A., 1988

University of Maryland, Munich, Germany, 1983-1985

### MEMBERSHIPS

American Bar Association, Fidelity and Surety Law Committee

Maryland State Bar Association

District of Columbia Bar Association

Virginia Bar Association

Howard County Bar Association

condition precedent in the Bond, and the surety's liability under the bond was discharged.

Baltimore City Bar Association

St. Thomas More Society

*State of Maryland, Consumer Protection Division v. Great American Ins. Co.*, Nos. 953 and 954 (Court of Special Appeals of Maryland, July 23, 2014) (unreported opinion). Successfully argued on appeal in a case brought by the Attorney General asserting claims against a series of health club bonds issued by our surety client that the trial court properly excluded billing record reports offered as a measure of damages. Both the trial court, and the appellate court in its 64-page opinion, agreed that the damage evidence was inadmissible under the public records hearsay exception because evidence adduced at trial demonstrated error rates too high for the records to be reliable.

*Thomas v. Accredited Surety and Casualty Company*, 28 A.3d 1138 (D.C. 2011). Obtained a trial court ruling in favor of the surety in a substantial supersedeas bond dispute, and successfully defended the judgment on appeal in a reported opinion published by the District of Columbia Court of Appeals

*Schek v. NGM Insurance Company* (In Re. Shek), 397 Br. 752 (D. Md. 2008). Obtained summary judgment in the United States Bankruptcy Court determining that a judgment obtained against a fiduciary bond principal was non-dischargeable in bankruptcy, and on appeal to the United States District Court in a published opinion

*Gray and Associates, LLC v. Travelers Casualty and Surety Company of America*, 2008 U.S. Dist. LEXIS 23903 (D. Md. 2008). Secured entry of summary judgment in favor of a fidelity insurer on a claim asserted by the court-appointed receiver of a title company. The successful defense centered on application of the policy's discovery tail

*Carrytown Jewelers v. St. Paul Travelers Insurance Cos.*, 2007 U.S. Dist LEXIS 3620 (E.D. Va., 2007). Obtained summary judgment in favor of a fidelity insurer in a case involving the policy definition of "employee" as applied to a commission salesperson

*Williamson v. National Grange Mut. Ins. Co.*, 887 A.2d 665 (Md. App. 2005). Successfully defended claims by a successor personal representative for attorney's fees under a nominal bond of personal representative in Maryland's Orphan's Court, the Circuit Court, and on appeal to the Court of Special Appeals, which issued a reported opinion on this issue of first impression in Maryland

## IN THE NEWS

Congratulations to all of our 2023 Attorneys Named as Super Lawyers and Rising Stars  
5.25.23

## PUBLICATIONS

Appellate Court of Maryland Construes Notice Conditions of A312 Performance Bond in Favor of Surety  
11.16.23