



Wendy F. Klein Keane

Member

Philadelphia

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Practice Areas

- Construction Law
- Condominiums & Cooperatives
- Commercial Litigation
- International Arbitration

Industry Sectors

- Real Estate & Construction

Education

- Georgetown University Law Center, J.D., *cum laude*, 2004
- Drexel University, B.S., *summa cum laude*, 2001

Bar Admissions

- New Jersey
- Pennsylvania
- New York

Court Admissions

- U.S. Supreme Court
- U.S. Court of Appeals for the Third Circuit
- U.S. District Court -- Eastern District of Pennsylvania
- U.S. District Court -- New Jersey

Affiliations

American Arbitration Association (AAA)

(Member of Construction Panel and Consumer Panel)

Awards & Honors

- Distinguished Advocate Award, Support Center for Child Advocates, 2020
- Pennsylvania Rising Star, Construction (2012 and 2013). This award is conferred by Super Lawyers. A description of the selection methodology can be found here. No aspect of this advertisement has been approved by the Supreme Court of New Jersey.

Wendy is a construction lawyer who represents owners, developers, contractors, and design professionals in all phases of the construction and dispute resolution process. She has litigated significant construction claims from the owner, developer, contractor, and design professional perspectives, with experience in court and arbitration. She counsels clients through all phases of the construction process, including contract drafting and negotiation, bidding, contract administration, litigation and alternative dispute resolution proceedings.

Prior to joining the firm, she was vice president and litigation and risk management counsel for Toll Brothers, Inc., serving as in house counsel for over seven years. While at Toll Brothers, she provided day-to-day counseling and managed litigations and arbitrations for various homebuilding divisions, including Pennsylvania, Delaware, Florida, and Texas, as well as Toll Architecture and Toll Integrated Systems (manufacturing plant). She also worked closely with Toll Brothers' Risk Management department. Wendy is experienced in providing general legal advice on issues such as sales, contract drafting and negotiation, community association transition claims, risk exposure and analysis, internal reserves, internal investigations, and OSHA related issues. Wendy counseled Toll through certain approvals, including those involving stormwater compliance issues. She counseled Toll Brothers throughout the COVID-19 pandemic to implement back to work policies and mitigate risk. Wendy's in house experience uniquely positions her to understand her clients' needs, help mitigate risks and achieve efficient, practical results. Preceding Toll Brothers, Wendy was an associate in the construction practice group for a large national law firm, and an associate at a construction litigation boutique firm in Philadelphia.

Wendy has extensive experience litigating construction defect claims including stucco and other water intrusion claims. She has directed and managed numerous litigations and arbitrations through discovery, hearings, mediations, appeals, and/or settlement. Wendy does pro bono child advocacy work for children in Philadelphia Family Court through the Support Center for Child Advocates.

Wendy earned her bachelor's degree, *summa cum laude*, from Drexel University and her law degree, *cum laude*, from Georgetown University Law Center. Wendy is proficient in French.

Experience

Represented the equity investment partner in a joint venture with development partners in the rezoning, entitlement, development, and construction financing (mortgage and preferred equity) of a 26-acre, for-rent, mixed-residential development project in Texas that includes 192 mid-rise apartments, 28 townhouses, and 94 single-family homes with eight acres of dedicated greenspace/wetlands.

Negotiated a favorable settlement with the U.S. Navy in a case we took over from another law firm on behalf of a full-service general contractor in a dispute relating to delays in a large repair and refurbishment project. The matter involved claims of defective specifications in which the work of removing decades-old coatings ("paint") from the structure of the building and reapplying a modern coating were delayed for years and took much longer than anticipated or allowed for in the contract.

Directed and managed a client's defense of water intrusion claims before courts and arbitration panels.

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Directed, managed, and amicably resolved to the client's satisfaction London arbitrations related to insurance coverage for construction defect claims.

Prosecuted claims, and defended a \$50 million counterclaim, on behalf of a major Chicago general contractor and six subcontractors arising out of the condominium conversion and upgrade of the historic Palmolive Building in downtown Chicago. Arbitration resulted in the dismissal of the developer's counterclaim, a near full award, and the award of costs and attorneys' fees to the general contractor.

Prosecuted and defended claims on behalf of the prime design/builder in an international arbitration arising out of the design and construction of U.S. Government Mission, in Taipei, Taiwan. This was a dispute between an American design/builder and a Taiwanese partnership related to abandonment of the work and delays. All issues of liability were resolved in favor of the client, after which the matter was settled.