

**CALVERT** ❖ **MENICUCCI**  
A Professional Corporation



8900 Washington St., N.E., Suite A  
Albuquerque, N.M. 87113

Phone 505-247-9100

scalvert@hardhatlaw.net

Fax 505-247-9761

**SEAN R. CALVERT**

**Education:**

1997 Santa Clara University School of Law (J.D. – High Technology)  
1992 Santa Clara University (B.A. – English)

**Legal Practice:**

3/1998 to present Calvert Menicucci, P.C.  
8900 Washington St., NE, Suite A  
Albuquerque, New Mexico 87113  
Partner

Engaged in a legal practice emphasizing the construction industry (95%). Representing all segments of the industry, including general, sub and specialty contractors; suppliers/manufacturers; public and private owners; developers; public agencies; architects; engineers; and designers. Public and private projects include commercial, heavy/highway, industrial, institutional, residential and utility. I have drafted and testified as an expert in the enactment of various pieces of legislation governing public and private development projects. On a constant basis represent parties in all levels of administrative and judicial proceedings.

**Bar Membership:**

1998 New Mexico State Bar Association  
2000 California Bar Association  
1998 U.S. District Court, District of New Mexico  
2000 United States Court of Appeals Tenth Circuit

**Professional Associations:**

American Bar Association  
Forum Committee on the Construction Industry  
Division 9 Steering Committee, 2003-2007  
Tort Trial & Insurance Practice Section  
Associated General Contractors  
American Subcontractors Association  
Chairman – Attorneys Council, 2008-2009  
Vice Chair – Attorneys Council, 2007-2008

Board Member, ASA-NM, 2000-2001, 2009-2012  
Chapter Attorney, 1999-present

**Publications:**

- Calvert, "New Mexico", Lien Law Online, Frank E. Riggs, Jr., Construction Publications, Inc. (2010 – 12)
- Calvert, Gilbert, "New Mexico", Fifty State Construction Lien and Bond Law, Robert F. Cushman and Stephen D. Butler, Eds., Aspen Publishers (2010 - 12)
- Calvert Menicucci, P.C., "New Mexico", State-by-State Guide to Construction Contracts and Claims, Michael Dodd and J. Michael Findlay Eds., Aspen Publishers (2005-12).
- Calvert, "Changes in the Work", The Construction Contracts Book: How to Find Common Ground in Negotiating Design and Construction Contract Clauses, (Daniel S. Brennan, Richard H. Lowe, Jennifer A. Nielsen & John I. Spangler, Eds., American Bar Association 2008)
- Calvert, "Changes in the Work", The Construction Contracts Book: How to Find Common Ground in Negotiating Design and Construction Contract Clauses, (Daniel S. Brennan, Richard H. Lowe, Jennifer A. Nielsen & John I. Spangler, Eds., American Bar Association 2004)
- Calvert, *New Mexico's Mechanics' and Materialmen's Lien Law*, Business Credit (NACM 2/04)
- Sklar, Newman & Calvert, "The Construction Documents I Advocate Using When Representing the Subcontractor", The Formbook for the Construction Industry, Aspen Publications (2004).
- Calvert and Calvert, *News from the Regions*, The Procurement Lawyer (Fall, 2001)
- Calvert, *New Mexico Retainage Act*, Southwest Contractor (9/01)
- Calvert, *New Mexico Retainage Act*, Business Credit (NACM, 9/01)
- Calvert, *A Digital World Out of Balance*, Santa Clara Computer and High Technology Law Journal V. 13, #545 May, 1997
- Editor, Anawalt and Kunze, "*Lotus Development Corp. v. Borland International, Inc.; Part One, Borland and the Blizzard of '96*", Santa Clara Computer and High Technology Law Journal, V. 12, #489 August, 1996
- Contributing Author – New Mexico; The Construction Lawyer
- Contributing Author - New Mexico, Construct!
- Contributing Author - New Mexico, Licensing Law in the 50 States,
- Contributing Author - New Mexico; Prompt Payment in the 50 States,
- Contributing Author – New Mexico; Lien Laws in the 50 States

**Lectures:**

- Calvert & Kennedy "Public Contracts and Procurement Regulations in New Mexico" (Lorman 3/10)
- Panel, "Craig Othmer Procurement Institute" (09/09)
- Calvert, Douthett & Turner, "Construction Lien Law in New Mexico" (Lorman 2007-2010)
- Calvert, Patrick & Seemann, Jr., "That's Mine! Termination Impacts on Rights to Design, Special Equipment, Subcontracts and Materials" American Bar Association, Forum on the Construction Industry, La Quinta, CA (04/08)

Calvert, Carroll & Gorman, "AIA Contracts" (Lorman 2008-2009)  
Calvert "Bidding & Negotiating Contracts the ASA Way" American Subcontractors Association Annual Meeting, Charlotte, SC (ASA 3/08)  
Calvert, Kennedy & Burn, "Public Contracts and Procurement Regulations in New Mexico" (Lorman 2004-2007)  
Panel, "New Mexico Procurement Institute" (10/07)  
Calvert "Negotiating Retainage" American Subcontractors Association Webinar (1/06)  
Calvert "Getting off the Risk Transfer Railroad", Painting & Decorating Contractors of America Annual Meeting, Tampa, FL (PDCA 2/06)  
Calvert "Getting off the Risk Transfer Railroad", American Subcontractors Association Annual Meeting, Orlando, FL (ASA 3/05)  
Calvert Menicucci, P.C., "Changes and Change Orders in New Mexico" (Lorman 4/04)  
Calvert, Kennedy & Burn, "Consolidated Procurement Code and Government Contracts" (Lorman 9/03)  
Calvert, Bartell & Salazar, "Construction Litigation in New Mexico" (Lorman 6/03)  
Calvert & Calvert, "Two Step to Success: Bids and Contracts" presented at American Subcontractors Association National meeting New Orleans, LA (ASA 3/03)  
Calvert, Flowers & Salazar, "Construction Contracting for Public Entities in New Mexico" (Lorman 9/02)  
Calvert, Bartell & Salazar, "Construction Litigation in New Mexico" (Lorman 6/02)  
"Update to New Mexico Retainage Act, One Year Later" Jackson Hole, Wyoming (MCA 6/02)  
Panel, "New Mexico Forum on Construction" presented to UNM Construction Program Advisory Council (4/02)  
Panel, "New Mexico Procurement Code Institute" (9/01).  
"New Mexico Retainage Act" Las Cruces, NM 8/01 and Roswell, NM (8/01).  
"New Mexico Retainage Act" presented to local branch Associated Builders and Contractors (8/01).  
Calvert and Gorman, "New Mexico Retainage Act" presented to local chapters of AIA, AGC and ASA (6/01).  
"New Mexico Retainage Act" presented to local chapter of American Subcontractors Association (5/27/01, 6/6/01 and 6/15/01).

### **Published Decisions:**

Gallegos v. Espinoza, 2002 NMCA 11; N. M. State Bar. Bull. 6; 2001 N.M. App. LEXIS 117 (Ct. App. 2001)  
Furr's Supermarkets, Inc. v. Richardson & Richardson, Inc., 315 B.R. 776 (D.N.M., Sept. 20, 2004)  
J.R. Hale Contracting Co., Inc. v. Union Pacific Railroad, 2008-NMCA-37 (Ct. App. 2008).  
State ex rel. Regents of Eastern New Mexico University v. Hon. Theresa M. Baca, 2008-NMSC-047 (2008).  
Windham v. L.C.I.2, Inc., 2012-NMCA-1 (Ct. App. 2011).