



Blanchard, Hal E.

Position: Counsel

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Location

Garden City, New York

Practice Areas

- [Construction Law](#)
- [General Litigation](#)
- [Insurance Solutions](#)

Admissions

New York; U.S. District Court for the Southern District of New York; U.S. Court of Appeals, Second Circuit



Biography

Hal focuses his practice on commercial litigation and arbitration and has extensive experience litigating a wide range of construction-related matters, including design defects, contract scope disputes, differing site conditions, lost productivity, delay, acceleration, and other scheduling issues, as well as mechanic's liens, performance bond, and payment bond claims. He also regularly advises on contract interpretation and other matters of importance to architects, designers, engineers, owners, and contractors.

Prior to joining the firm, Hal worked at a boutique construction litigation firm in New York City, where he focused on defending architects and engineers from negligent design claims, and served as in-house counsel to MTA New York City Transit, where he handled contract disputes, bid protests, and Article 78 proceedings arising out of the maintenance and rehabilitation of the city's subway and buses. He also represented the MTA in federal and state court litigation involving property damage, ADA discrimination, false advertising, and other class actions filed on behalf of disgruntled subway riders.

Hal adopts a proactive approach to his cases and is passionate about seeking creative and cost-effective solutions to high-stakes disputes, while defending owners, architects, and engineers from unscrupulous contractors attempting to exploit loopholes in the contract. In addition to his work in construction, he also has experience handling declaratory judgment actions and advising on suretyship and insurance coverage issues.

For the past several years, Hal has been named in The Best Lawyers in America: Ones to Watch list for Construction Law and Litigation in New York.

Fluent in Mandarin Chinese with an interest in Chinese law and policy, Hal has spent a portion of his career working abroad as senior legal counsel to the Taiwanese government, a foreign legal consultant to a Chinese law firm in Shanghai, an intern at the Hong Kong Department of Justice, and a linguist at National Taiwan University in Taipei. He has translated hundreds of legal, financial, and technical documents from Chinese into English.

Hal has been published in the Florida Journal of International Law, the Fordham International Law Journal and the Columbia East Asian Review on issues relating to Chinese constitutionalism, the "one country, two systems" framework of Hong Kong's Basic Law, and the legality of the war in Iraq.



Education

- Fordham University School of Law, Juris Doctor, 2005
- Columbia University Graduate School of Arts & Sciences, Master of Arts, 2001
- Columbia University, Bachelor of Arts, magna cum laude, 1998

Honors

- Best Lawyers in America: Ones to Watch (Construction Law and Litigation)
- Hong Kong Economic & Trade Office Scholarship
- Archibald R. Murray Public Service Award
- Foreign Language and Area Studies Fellowship

Languages

- Mandarin Chinese

Professional Leadership

- New York City Bar Association
- New York State Bar Association



Representative Matters

- Obtained a favorable settlement for a construction manager and its design sub-consultant in a multi-million dollar arbitration brought by a multinational telecommunication company alleging errors and omissions in the design and installation of the wireless communications system in Grand Central Terminal.
- Successfully represented a design consultant in an action by the owners of a luxury condominium in San Francisco alleging excessive heat magnification caused by issues involving the design and construction of the building's curtain wall system.
- Obtained a favorable settlement for a concrete and masonry subcontractor in a breach of contract action arising out of the partial collapse of the superstructure of a medical center in Brooklyn by arguing that the subcontractor's employee were working as "loaned servants" under the supervision and control of the contractor. The settlement also included a declaratory judgment action against the subcontractor's insurer for denying coverage under its CGL policy.
- Defended an engineer in connection with multiple claims alleging errors and omissions and other design deficiencies in connection with a research project to install and evaluate the performance of Ultra-High Performance Concrete for use as an overlay on bridges in New Jersey.
- Represented an architectural firm in a claim against the New York City Department of Design and Construction for additional compensation associated with the architectural services it provided in connection with the design and construction of a juvenile education and training facility in the Bronx.
- Obtained summary judgment on behalf of a manufacturer of cement-based grout in an action arising out of damage to the ornamental iron fencing around City Hall Park by proving that the damage was caused by the delayed application of epoxy sealant, as opposed to any deficiencies in the grout.
- Represented the owner in a breach of contract action against a demolition contractor for failure to renew its contractually required insurance policy, and a declaratory judgment action against the surety for failure to honor its performance bond by financing the completion of the work.
- Represented a professional employer organization in the filing of mechanic's liens and payment bond claims for unpaid labor in connection with solar energy projects in upstate New York by overcoming the presumption that such organizations do not provide "labor" for the purposes of the New York Lien Law.



Representative Matters

- Successfully defended the MTA in a high-profile bid protest challenging the award of a \$633 million contract to supply Ultra Low Sulfur Diesel Fuel for use by MTA buses by characterizing the MTA's decision to use an alternative benchmark index for the pricing of petroleum and enforce a contractual requirement that the selected supplier maintain two terminals within a 50-mile radius as part of a deliberate effort to adhere to the Authority's stringent guidelines while encourage free and fair competition.
- Obtained summary judgment on behalf of the MTA in a class action filed by a subway rider alleging that its fare structure for unlimited MetroCards constituted false advertising under New York's consumer protection statute. The case was featured in the New York Law Journal for extending the scope of the so-called "filed rate doctrine," which bars claims alleging that the rates on file with a regulatory commission are unreasonable.

Community

- Volunteer, The Children's Project, Volunteers of Legal Services
- Volunteer, Immigrant Justice Project, City Bar Justice Center

Publications

- "Leveraging Trade to Enforce Environmental Commitments: The EU's Assertive Approach to Sustainable Development," Asia Pacific Perspectives (2024)
- "Constitutional Revisionism in the PRC: 'Seeking Truth from Facts,'" 17 Fla J. Int'l L. 365-403 (2005)
- "Vengeance and Empire: The Leftist Case for War in Iraq," 27 Fordham Int'l L.J. 2062-90 (2004)
- "Saving the Face of Hong Kong: China, Power and the Future of Asia, Columbia East Asian Rev. (2000)