

## NEWSLETTERS

### Barnes & Thornburg LLP Construction Law Update - August 2015

August 25, 2015

Welcome to the August 2015 edition of the *Construction Law Update*, an e-publication that features articles authored by the attorneys in Barnes & Thornburg LLP's Construction Practice Group.

#### New Legislation Authorizes 'Bonding Over' Mechanics' Liens for the First Time in Illinois

By Gregory S. Gistenson

On Jan. 1, 2016, Illinois will no longer be the only state that does not have a "bonding over" statute. Read about the provisions in this new section of the Illinois Mechanics' Lien Act and what this means for contractors going forward.

#### Indiana Court of Appeals - Mechanic's Lienholder has the Right to Remove Improvements

By Stephen L. Fink

Learn more about a recent Indiana Court of Appeals case which clarified that a mechanics lienholder may remove from the real estate any improvements the mechanic made provided the underlying real estate is not damaged.

#### Michigan Court of Appeals – Update on When 'Pay If Paid' Clauses Are Applicable

By Scott R. Murphy

A recent decision from the Michigan Court of Appeals reduced the scope and applicability of "pay if paid" clauses when the dispute involves extracontractual work. Learn more about this decision and why you should review your "pay if paid" policy to understand the scope of its coverage.

#### Indiana Supreme Court Holds That AIA Waiver of Subrogation Extends to Non-Work Property

By Timothy J. Abeska

In *Board of Commissioners of Jefferson County v. Teton Corp.*, the Indiana Supreme Court held that a waiver of subrogation extends to non-work property. Read more about this case and how the court applied the "work versus non-work" approach to the issue.

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