



Sarah B. Biser

Partner

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Sarah represents owners, contractors, EPC contractors, developers, architects and engineers, both in the United States and abroad, in all stages of the construction process.

As Co-Chair of the firm's national Construction Law and International Arbitration groups, Sarah focuses her practice on large, capital-intensive construction projects, with a particular emphasis on drafting and negotiating contracts for complex and unique construction and infrastructure, as well as litigating disputes both in the courtroom and in domestic and international arbitration. She represents the Panamanian contractor that was part of the consortium that built the third lane (expansion) of the Panama Canal.

Sarah has been involved in the construction of industrial smelters; hydroelectric, coal-fired and biomass power plants; waste ammonia recovery systems; solar power installations; museums; manufacturing facilities; gambling facilities; educational institutions; health care facilities; and large modular constructed projects. She defended a European construction company in connection with Defense Base Act claims arising out of the 1968 crash of a B-52 bomber carrying four nuclear warheads at an airbase in Thule, Greenland. Sarah prevailed in Administrative Law Court, at the Benefits Review Board, at the 1st Circuit U.S. Court of Appeals and at the U.S. Supreme Court.*

Sarah, who also co-chairs the firm's Israel Practice Group, represented Technion-Israel Institute of Technology in connection with the Technion-Cornell joint venture, in the construction of a new applied science university and related facilities on Roosevelt Island in New York City. She was involved in the construction of InterActive Corporation's futuristic headquarters and AOL's headquarters, including the CNN newsroom, in the Time Warner building.

** Results may vary depending on your particular facts and legal circumstances.*

Services

- Litigation
- Architecture, Engineering & Design Professional Firms
- Construction
- International
- International Arbitration
- Israel
- Real Estate
- Energy & Natural Resources

- Renewable Energy & Project Development
- Infrastructure & Development

Books

- Sarah is co-author of the leading treatise on New York construction law, the *New York Construction Law Manual*.
- She authors the chapter on New York law in *Fifty State Construction Lien and Bond Law* (3rd Edition) and the New York chapter in *State-by-State Guide to Architect, Engineer and Contractor Licensing*.
- Sarah co-authored the chapter on “Legal Relationships” in *Temporary Structures in Construction* (3rd Edition).

Before Fox Rothschild

Prior to joining Fox, Sarah was a partner at an East Coast-based law firm.

Beyond Fox Rothschild

Sarah is a frequent lecturer on construction issues. She has served as an adjunct professor, teaching a course on high-growth corporate transactions, in Cornell Law School’s Technology Law LL.M. program. She is a member of the New Jersey Israel Commission, by appointment of New Jersey Gov. Chris Christie and Gov. Phil Murphy, and is fluent in conversational Hebrew.

Bar Admissions

- New York
- New Jersey

Court Admissions

- U.S. Supreme Court
- U.S. Court of Appeals, First Circuit
- U.S. Court of Appeals, Second Circuit
- U.S. District Court, Eastern District of New York
- U.S. District Court, Southern District of New York
- U.S. District Court, District of New Jersey

Education

- New York University School of Law (J.D., 1983)
- Columbia University School of International Affairs (M.I.A., 1979)
- Rutgers University (B.A., *Phi Beta Kappa*, 1977)

Memberships

- American College of Construction Lawyers, Fellow
- American College of Real Estate Lawyers, Fellow
- Construction Lawyers Society of America, Fellow
- Dispute Review Board Foundation for Israel
 - Co-Regional Head
- American Bar Foundation, Fellow
- American Council of Engineering Companies, Legal Counsel Forum
- American Bar Association
 - Co-Chair, Project Finance Committee
- New York County Lawyers’ Association
 - Former Co-Chair, Construction Law Committee
- International Bar Association
 - Former Co-Chair, International Project Committee/Dispute Resolution Subcommittee
- International Institute for Conflict Prevention and Resolution (CPR)
 - Co-Chair, Construction Committee

- International Association of Jewish Lawyers and Jurists
 - Board Member
- New Jersey Israel Commission
- New Jersey State Bar Association
- New York State Bar Association
- American Friends of Technion Society

Languages

- Conversational Hebrew

Representative Matters

- New York Power Authority – Represents the nation's largest state public power organization, authorized under Public Authorities Law, with regard to litigation involving its construction and energy upgrade programs.
- Represents major metropolitan museums in New York and Washington, DC with regard to renovations, including drafting and transactional advice for architectural, construction and consultant contracts.
- Constructora Urbana, S.A. (CUSA) – Represented CUSA - one of the joint venture partners in the consortium that constructed the third lane of the Panama Canal, for ICC arbitration and English proceedings related to the construction of the third lane. Also represented CUSA as joint venture partner with French-based VINCI Construction for the construction of a four-lane concrete cable-stayed bridge north of the Panama Canal Gatun Locks, owned by the Panama Canal Authority, an autonomous entity of the Government of Panama. The construction of the three-kilometer bridge is part of the Panama Canal Expansion Program.
- Princeton University – Represents the university with regard to construction-related litigation.
- Rutgers University – Represents the university with regard to transactional matters and construction-related litigation.
- Technion University – Drafted and negotiated joint venture agreement with Cornell University to develop and construct a premier, state-of-the-art applied science graduate school and research facility and campus on land provided by the City of New York on Roosevelt Island for Mayor Bloomberg's signature economic development and infrastructure project.
- E. Phil – Represents a Danish construction company in the construction of a 220-megawatt hydroelectric plant in Changuinola, Panama and successfully defended and prosecuted claims in ICC arbitration against the owner developer of the plant.
- Represents a European construction company in connection with a Defense Base Act matter involving the 1968 crash in Thule, Greenland, of a U.S. B-52 military plane carrying four nuclear warheads. Prevailed in Administrative Law Court, Benefits Review Board, and the 1st Circuit U.S. Court of Appeals. Claimants appealed again to the U.S. Supreme Court, which declined to hear the case.
- Public Service Electric & Gas Corporation – Represented PSEG Services Corp. with regard to claims arising out of the construction and closeout of a fossil fuel power plant in Trenton, NJ. Litigation began when the EPC contractor walked off the job and terminated its services as contractor. Negotiated settlements regarding final acceptance of certain power plant operating systems and successfully avoided litigation regarding final completion and disputed and defective work claims.
- Hudson River Park Trust – Successfully defended the Trust in a vigorously contested bid protest brought by a disappointed low bidder. The Trust is a public benefit corporation in partnership between the state of New York and New York City charged with the design, construction and operation of the five-mile Hudson River Park.
- Jet Blast Hydrodemolition – Won breach of contract claim for plaintiff in jury trial; judgment was affirmed on appeal by New Jersey Superior Court, Appellate Division.
- Petersen Geller & Spurge – Structured and negotiated settlement on behalf of millwork designer in multimillion-dollar litigation involving construction of new federal courthouse in Brooklyn.
- NYC Headquarters of IAC/InterActiveCorp – Drafted, negotiated and counseled developer for and owner of, Frank Gehry-designed headquarters of internet conglomerate with regard to contracts for construction management, design professional, trade contractor and consultant.
- Verizon Communications, Inc. – Drafted and negotiated contracts for construction management, design professional, trade contractor and consultant for national leader in telecommunications industry.
- *Palace Electric v. Constructamax, Locust Valley Central School District et al* – Successfully negotiated and settled on behalf of school district multiparty litigation involving multimillion-dollar claims against the school district and one of prime contractors.

- *NYMEX v. Forest Electric Corporation* – Successfully negotiated and settled lien foreclosure case involving disaster recovery trading facility maintained outside New York by NYMEX in the event of a catastrophe.
 - *DASNY v. Urban Foundation/Engineering, LLC* – Successfully negotiated and settled multiparty litigation involving multimillion-dollar claims of negligence, defective workmanship and defective design of waterproofing system for student affairs building on Baruch College campus.
 - *Heller v. Marvin Windows* – Successfully negotiated and settled case involving mold and defective window design against major national window manufacturer.
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Awards & Honors

- **Selected to the "Best Lawyers in America" list for Construction Law (2024) and Litigation - Construction (2024) in New York, NY by Best Lawyers**
This award is conferred by Best Lawyers. A description of the selection methodology is [available here](#). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.
- **Selected to the Chambers USA list of ranked attorneys for Construction, New York (2009-2023)**
This award is conferred by Chambers & Partners. A description of the selection methodology is [available here](#). No aspect of this advertisement has been approved by the New Jersey Supreme Court.
- **Selected to the "Local Litigation Stars" list for Construction in New York by Benchmark Litigation (2020, 2022-2024)**
This award is conferred by Euromoney Institutional Investor PLC. A description of the selection methodology is [available here](#). No aspect of this advertisement has been approved by the New Jersey Supreme Court.
- **Selected to the "Notable Women in Law" list (2021)**
This award is conferred by Crain's New York Business. A description of the selection methodology is [available here](#). No aspect of this advertisement has been approved by the New Jersey Supreme Court.
- **Selected to the "Super Lawyers" list for Construction Litigation in New York (2010-2023)**
This award is conferred by Thomson Reuters. A description of the selection methodology is [available here](#). No aspect of this advertisement has been approved by the New Jersey Supreme Court.
- **Listed in Practical Law, Construction and Projects (2010-2012)**
This award is conferred by Thomson Reuters. A description of the selection methodology is [available here](#). No aspect of this advertisement has been approved by the New Jersey Supreme Court.
- **Selected to the "The Top Women Attorneys in the New York Metro Area" list (2012, 2014-2020)**
This award is conferred by Thomson Reuters. A description of the selection methodology is [available here](#). No aspect of this advertisement has been approved by the New Jersey Supreme Court.