HUSCH BLACKWELL



Kenneth A. Slavens

OF COUNSEL

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OVERVIEW

Ken is dedicated to helping solve construction and development clients' most complicated problems with as little disruption as possible to their businesses.

He represents architects, engineers, owners and contractors in construction disputes over alleged defective design and construction, delays, cost overruns, interference, obstruction, property damage and suspension of work. He litigates claims arising from injuries on project sites or from defective construction. His substantial experience also includes related civil litigation, arbitration and mediation.

Ken's familiarity with the construction and design industry dates to his college days, when he worked for a residential and small commercial contractor. After law school, Ken was introduced to construction and design litigation by an attorney mentor. Having spent his entire career in construction law, Ken has a unique understanding of the business that benefits clients.

"When we ask Ken to get involved with an issue or case, we have complete confidence that we have the best working for us. He is experienced, practical, intelligent and a pleasure to work with. We work with few counsel nationally that we would consider a peer of his."

— Bruce R. Gerhardt, Chief Counsel
– Architecture, HDR

Industry

Real Estate, Development, & Construction

Services

Commercial Litigation

Construction & Design

Construction Litigation

Litigation & Alternative Dispute Resolution

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To help maintain his broad perspective and deep knowledge, Ken is actively involved in organizations affiliated with the non-legal side of the construction industry. These interactions provide valuable insights into the issues that clients experience day to day, as well as their longer-term concerns.

Experience

- Defended engineering company against claims brought by 20 property owners as result of flood damage allegedly occurring during renovation of interstate highway. Client was dismissed by all plaintiffs before trial.
- Represented engineering company in $40 million claim resulting from fire at power plant. Matter was favorably settled at mediation.
- Represented architect Hellmuth, Obata & Kassabaum in claim for $3.89 million by construction manager's contract with owner. Trial judgment was reversed outright by Missouri Court of Appeals. First Missouri case to articulate doctrine applicable to claims against design professionals by contractors.
- Persuaded seven subcontractors and their bonding companies to pay majority of funds needed to settle $9.45 million lawsuit over hospital construction. Our general contractor client was held responsible for only small fraction of settlement.
- Represented Schafer Kline & Warren Engineers and won lawsuit for more than $100 million against property owners alleging water and air pollution. Vernon Hanes, et al. v. Continental Grain Co., et al., St. Louis City Circuit Court (Mo. 1999)
- Advised A.A. Matthews (part of CRSS) in lawsuit filed by caissons contractor for cooling towers on Tennessee Valley Authority project. Claim was for approximately $3.7 million. Trial court dismissed case for failure to state claim at close of plaintiff's case. Ruling was reversed and remanded by Missouri Supreme Court. Case settled prior to retrial for approximately $150,000. Murphy v. A.A. Matthews, St. Louis City Circuit Court (Mo. 1997)
- Established economic loss doctrine in Missouri. Fleischer-Seger Construction v. Hellmuth, Obata & Kassabaum, 870 S.W.2d 832 (Mo.App.E.D. 1993)

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Experience

- Represented assisted-living facility against subcontractor's suit alleging delay and impact damages.
- Established cause of action for negligent provision of expert engineering witness services. Murphy v. A.A. Matthews, 841 S.W.2d 671 (Mo. 1999)
- Addressed and established constitutionality of Missouri statute of repose related to construction projects. Blaske v. Smith & Entzeroth Inc., et al., 821 S.W.2d 822 (Mo. 1991)

Recognition

- Construction Lawyers Society of America, Fellow
- *The Best Lawyers In America*®
  - Litigation - Construction, 2005-2027
  - Best Lawyers® Litigation - Construction "Lawyer of the Year," St. Louis, 2011, 2014, 2019, 2021, 2025
- *Chambers USA*
  - Construction, 2025-2026
- *Missouri & Kansas Super Lawyers*
  - Construction Litigation, 2006-2025
  - Top 100, 2009, 2018-2022
  - Top 50 St. Louis, 2008-2009, 2013-2021
- AAA Master Mediator Panel for the Midwest
- AAA Master Mediator Panel for the South and Southeast
- *Small Business Monthly*, 2019 Best Attorneys
- Martindale-Hubbell AV Preeminent

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Education

- J.D., Saint Louis University School of Law
  - *cum laude*
- M.A., University of Missouri-Saint Louis
  - Political Science
- B.A., University of Missouri-Saint Louis
  - Political Science

Admissions

- Missouri
- U.S. District Court, Central District of Illinois
- Illinois
- U.S. District Court, Southern District of Illinois
- U.S. District Court, Eastern District of Missouri
- U.S. District Court, Western District of Missouri
- U.S. Court of Appeals, Seventh Circuit
- U.S. Court of Appeals, Eighth Circuit

Community Leadership

- Washington University in St. Louis, McKelvey School of Engineering, Henry Edwin Sever Institute, Adjunct Professor, “Legal Aspects of Construction,” Spring 2020, Fall 2020, Spring 2021, Fall 2021

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