

**Steven M. Murow**  
Summary of Expert Qualifications

Mr. Murow has been a professional in the general engineering contracting industry for over thirty years. During that time he has served as principal in two leading contracting firms; consultant to major land developers; specifier and bid administrator; senior project manager and as an expert witness. He has expertise in public and private engineering and building contracting, creating land development pro formas, claims mitigation, scheduling and cost estimating.

Mr. Murow began his professional career in 1978 as a quantity takeoff estimator for Southern California's premiere grading contractor – Sukut Construction, Inc. After attending the University of Illinois and Cal State Long Beach, studying Civil Engineering; Mr. Murow utilized his knowledge of soils mechanics, hydraulics and general business courses and teamed up with former employees of Sukut in 1981. Their goal was to create a new, diversified general engineering contracting firm; Gillespie Construction and a consulting engineering firm, CME Corporation. As a principal in both companies, Mr. Murow was responsible for estimating and bidding of public works projects, project management and dispatching of field personnel and equipment.

In May 1987, Mr. Murow joined Greg Clayton as a principal and formed Clayton Engineering, Inc. to offer “*on time, within budget and with minimal disputes*” general engineering contracting services. In 1999, the company amassed sales of \$46 million, had 160 employees, over 30 pieces of heavy equipment and was a major force in public contracting in Southern California. Mr. Murow held the position of Executive Vice President; performed the sales and marketing for the company; estimated and/or supervised the estimating of over 2,000 bids and personally managed and/or was responsible for the project management of over 300 projects in excess of \$125,000,000.00 including heavy engineering and building construction; developed computer spreadsheets and formats for job costing, estimating and scheduling; oversaw the financial/accounting/bonding requirements of the company; and performed numerous consulting projects and constructability analysis.

In October, 2000 Mr. Murow joined The Moote Group to offer his expertise in developing pro forma's associated with mass grading and infrastructure development, perform mass grading analysis and budgets, develop mass grading bid packages and act as a project manager on grading and infrastructure related projects. He also developed the forensic estimating and litigation support division of The Moote Group.

Mr. Murow has provided assistance to Owners, Municipalities, Developers and Contractors on claims analysis and mitigation and provided litigation support on projects involving general engineering and building construction in the public and private industry. He has assisted in case development, claim preparation, damage assessment and quantification, cost estimating, and performed expert witness testimony, rebuttal witness services and has facilitated equitable settlement agreements among Contractors and Owners.

A brief description of projects Mr. Murow has been directly involved in as the responsible managing principal for The Moote Group includes:

- City of Laguna Beach, Treasure Island Development: Perform cost estimating, bid analysis, contract negotiations, budget analysis and allocation, and contract completion verification as an expert to assist in a settlement between the City Council and the Developer.
- City of West Hollywood, Santa Monica Blvd. Reconstruction: Review and analyze \$27,000,000 contract billing with 70+ change orders; investigate, review and comment on

- pending claims; project review and analysis; serve as an expert and project mutual witness in the mediation process which led to a successful mediation settlement between the City and the Contractor. He also acted as an expert on Standard of Care for Construction Managers and Civil Engineers in related litigation with the Project Design Engineer resulting in a jury verdict for the City in excess of \$6.3 million dollars.
- South Coast Construction vs. Ashbrook Communities: Serve as an expert to develop grading quantities and logistics, evaluate quantity of “removals,” analyze percent complete and amount due, review billing and change orders. Participate at Arbitration as an expert and rebuttal witness on grading issues and differing site conditions.
  - DR Horton v Verco, Orangecrest, Riverside: Serve as an expert in applying forensic investigation into billing practices including reconstructing contract billing, T&M billing and multiple change orders. Contractor demand for \$2.2MM was reduced to zero over 12 months of negotiations with the opposing accounting expert and contractor.
  - Victoria Groves, LLC, Victoria Grove, Riverside: Apply forensic estimating in reconstructing project quantities; contract and change order billing analysis and confirmation; and negotiating an equitable solution between the Owner and Contractor avoiding litigation.
  - Playa Capital Company, LLC, Playa Vista, Los Angeles: Serve as the Senior Project Coordinator interfacing with engineering, design and construction in order to pre-plan, schedule, budget and prepare bid documents for CFD reimbursed public works projects totaling in excess of \$40,000,000. Once awarded, acted as Senior Project Manager through project completion including negotiating extra work and change orders, verifying completion percentages, coordinating with City, Soils Engineer, Civil Engineer and other Governmental Agencies. Manage and supervise construction team throughout all phases of construction. Initiate and avoid claims through documentation and document control.
  - BMR Golf vs. Lee, Fontana: Serve as an expert to support litigation and analyze the allegation of breach of contract. Research job records, perform forensic estimating and discovery, analyze field work and warrant an opinion on status of project. Present analysis and review during a successful mediation process.
  - Hunsaker vs. Hales, et al, Laguna Hills: Serve as an expert to support litigation and estimate construction cost for reconstructing property damage caused by lateral fill extension. Attend destructive testing, map reconstruction limits, analyze field work and prepare cost estimate for settlement purposes. Presented analysis at deposition.
  - Starfield Investors, LLC, Sycamore Creek, Riverside: Serve as Project Manager for Bid Administration, Contract Administration and Technical Support services to Owner on a new 1,300-lot residential development in Riverside County. Prepared initial cost estimates and budgets, bid documents and specifications for CFD reimbursement program, moderated the bid process, administered contracts, provided construction management services in support of the field operations and negotiated contract change orders and extra work. Developed project documentation processes and techniques.

In addition, as a general engineering contractor, Mr. Murow was directly and personally involved as the Estimator/Project Manager on several mass grading, street improvements, channel improvements, storm drain and turn-key site development projects for public works and private development. From 1989 to 1995 Mr. Murow also acted as Estimator and Operations Manager on several Public and Private building projects including four community centers for local municipalities.

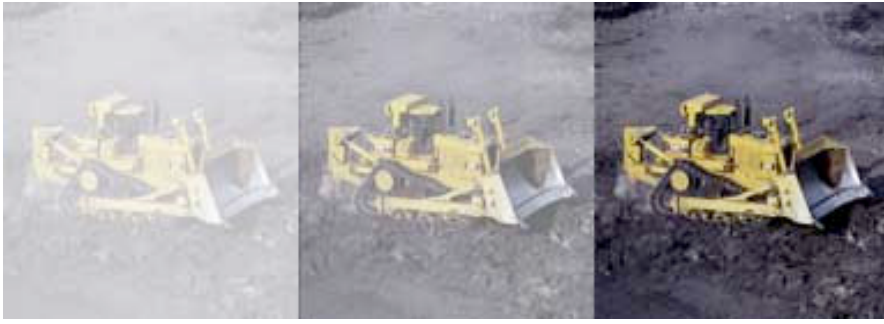
With this experience and knowledge, Mr. Murow is considered an expert in “**forensic general engineering contracting and cost estimating**” specializing in DIRT – mass grading and excavation, street improvements and underground construction. Mr. Murow joined The Moote Group to enhance its abilities in cost estimating and budgeting; project/construction management; developing grading logistics, phasing analysis and sequencing; claims avoidance and analysis; litigation support and expert witness services; and project development and coordination. Mr. Murow’s overall experience and technical background allows him to successfully analyze claims and job related problems as a “*project neutral*” and mutual witness. He has been retained as an

expert witness over fifty times and has testified in court and/or during arbitration on ten occasions.

Mr. Murow serves on the program and membership committee's of the local Orange County Forensic Expert Witness Association (FEWA) and is an active member of the Construction Management Association of America (CMAA) and the Building Industry Association (BIA). He is also a member of the Construction Specification Institute (CSI), the Engineering Contractors Association (ECA), the Southern California Contractors Association (SCCA) and the Association for Advancement of Cost Engineers (AACE). He also serves on the Executive Board of Directors at the Arizona State University Parents Association and at the Merage Jewish Community Center of Orange County. Murow is also an Advisory Council Member for the Certificate in Expert Witness at California State University – Fullerton and for the Construction and Technology Department at Orange Coast College in Costa Mesa. Mr. Murow holds a General Engineering Contractors License (A-659969).

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