

## Troy M. Miller

### Profile

Troy Miller is a partner in the Construction and Litigation Groups, concentrating his practice in construction and public works contracting and purchasing, complex construction litigation, arbitration and mediation, including but not limited to, public contract law, state highway construction, mechanic's lien law and vendor and material supplier collections. He represents both public and private owners, design professionals, surveyors, construction managers, general contractors, subcontractors, material suppliers and manufacturers in all phases of the construction and bidding processes, including working with public owners to prepare bidding and contract documents for public works and services. In addition to years of actual hands-on construction experience, he earned his *juris doctorate* from the University of Dayton School of Law. He received his master of architecture from the College of Architecture, Ball State University. At the graduate level, Mr. Miller served as a graduate teaching assistant in building structures and technology and the Housing Futures Institute, a nationally recognized and federally funded think-tank, investigating new and highly technical housing construction solutions. Mr. Miller received his bachelor of architecture and bachelor of science in environmental design also from the College of Architecture, Ball State University. Mr. Miller is admitted to practice law in the state of Indiana and before the United States District Courts for the Northern and Southern Districts of Indiana. Mr. Miller is an avid low handicap golfer, recreational boater and installer of home improvements when not in the office.

### Education

University of Dayton School of Law (J.D., 1999)  
Ball State University (M. architecture, 1998)  
Ball State University (B. architecture, 1995)  
Ball State University (B.S. in environmental design, 1995)

### Honors / Awards

Indiana Super Lawyers® - Rising Stars Edition (2009, 2011)

### Representative Matters

*Skyline Roofing and Sheet Metal Company, Inc. v. Ziolkowski, Inc. and United Union of Roofers Waterproofers and Allied Workers Local #26*, 957 N.E.2d 176 (Ind.Ct.App. 2011); *Amerisure Inc. v. Wurster Construction Co., Inc.*, 818 N.E.2d 998 (Ind.Ct.App. 2004); *Brownsburg Community School Corp. v. Natare Corporation*, 824 N.E.2d 336 (Ind. 2005); *Bigley v. MSD of Wayne Township Schools*, 823 N.E.2d 278 (Ind.Ct.App. 2005); *Mark E. Savoree and Karen S. Savoree v. Industrial Contracting and Erecting, Inc.*, 789 N.E.2d 1013 (Ind.Ct.App. 2003)

### Appearances / Publications

**Presenter:** Mr. Miller has lectured on numerous aspects of the construction bidding, contracting and dispute resolution for the Indiana Continuing Legal Education Forum and Lorman Education Services, American Bar Association, Forum on the Construction Industry, as well as architect, engineer, builders, contractor, subcontractor, trade and bar associations at seminars and conferences, including: "Top Ten Best Practices for Smaller Contractors and Suppliers" (ABA Forum on Construction Industry, Division 9), "Surviving Collections and Contracts," (ICMA Fall Meeting, 2008); "Design Build Contracting for Public Entities," (ISBA, October 2005).

**Author:** Mr. Miller has appeared as a featured guest in the *Indiana Lawyer*. He has authored or co-authored various articles in legal and professional publications, including: "Construction Checklists: A Guide to Frequently Encountered Construction Issues," (American Bar Association, Forum on the Construction Industry, Chapter Contributor - Checklist 11: Warranties - Creation, Enforceability, and Assignability, 2008); "Surviving Collections and Contracts," (Indiana Concrete Masonry Association Fall Meeting, 2008); "Fifty State Compendium of Construction Law Issues," (Indiana American Law Firm Association, 2007); "Indiana Public Works Statutes," (Lorman Education Services, 1999 and 2000); "Construction Contracting for Public Entities in Indiana," (Public Works Projects, Bidding and Bid Protests in Indiana, Lorman Education Services, 1999 and 2000); "Change-Orders - New Developments in the Law," (BAGI Sites Magazine, December 1999); Architecture Thesis "Design-Build / Students to the Rescue," (Progressive Architecture, July 1995).

### Appointments / Memberships

American Bar Association (member of Forum on the Construction Industry of Division III - Design, Division V - Contract Negotiations, Performance and Administration, Division VII - Bonds Liens and Insurance and Division IX - Specialty Trade Contractors and Suppliers); American Institute of Architects; Indiana Bar Association (Construction and Surety Law Section)(Treasurer and Executive Committee member); Builders Association of Greater Indianapolis (member of Building Standard Committee).



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**University of Dayton School of Law**

### Admissions

Indiana

United States District Court for the Northern District of Indiana

United States District Court for the Southern District of Indiana

## **Troy M. Miller**

**Outside the Office**