

## Stephen K. Barnett, P.E., J.D.

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### SUMMARY OF QUALIFICATIONS AND EXPERIENCE:

Professional engineer and attorney with twenty one years hands-on experience engineering and managing international and domestic EPC power generation and heavy industrial projects plus eight years focused on: drafting and negotiating power sector construction, sales, services and O&M contracts; claims investigation, analysis and resolution; integrated technical, commercial and legal risk management; and complex litigation support. Technical and legal credentials join deep power sector project experience ensuring avoidance of unnecessary friction and risk in aggressive project delivery and commercial operation. Multidisciplinary knowledge feeds efficient and effective approach to risk avoidance, mitigation and loss recovery relating to property and business interruption losses, equipment design and manufacturing defects, and defective contractor performance. Proven leadership and teamwork abilities, well developed written and verbal communication skills, and seasoned approach to negotiation bring immediate benefit to domestic and international power generation asset owners.

### EDUCATION AND PROFESSIONAL AFFILIATIONS:

BSME: Clemson University, December 1978.

- Dean's List senior year.

JD: Georgia State University College of Law, June 2003.

- Am. Jur. award in Litigation Workshop
- Top of class in Remedies, Georgia Practice

State Bar of Georgia: Admitted November, 2003.  
PE Licenses: South Carolina and Washington - both currently inactive.  
American Bar Ass'n: Member of Construction Industry Section

### WORK HISTORY:

#### Barnett Law Offices - Roswell, Ga. Nov'03 - Present

Primary practice area includes drafting, negotiation and oversight of contracts and claims relating to domestic and international power generation and energy infrastructure projects. Particular focus is placed on the investigation of issues and enforcement of Owner's rights and remedies relating to contract compliance and performance, additional cost and schedule delay claims, insurance coverage and loss claims, breach of agreements furnishing goods or services, and transnational logistics.

- Feb'04 - Dec'05: operating in small team of outside counsel to Enron Corporation responsible for evaluation, negotiation and supporting litigation of creditors' claims arising from power generation projects entangled in Enron's bankruptcy.
  - Analysis of claims, contracts, and contemporaneous documentation in light of claimant's available remedies; leading role in negotiating settlement of \$1.3 Bn. various project claims.
  - Supporting complex litigation in UK involving denial of property insurance coverage.
- Jan'06 - Present: drafting and negotiating technical services contracts; negotiation and civil litigation of claims arising from insured losses, breach of contract, and tortious behavior; and of-counsel to boutique law firm building power sector practice.

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**Bull's Eye Associates, Inc. - Atlanta, Ga.**

**Sep'99 - Oct'03**

Project management consultant focusing on: investigation of technical and commercial issues relating to power generation project claims and disputes; contractor delay mitigation; litigation support including expert witness testimony; and negotiating commercial terms of turnkey contracts, purchase and sale of goods contracts, operating and maintenance agreements, and technical services agreements.

**NEPCO - Redmond, Wa.**

**May'88 - Aug'99**

**April'97 - Aug'99: Project Director/In-Country Managing Director** - Reporting to VP Operations and having overall responsibility for two 125 MW combined cycle, turnkey cogeneration projects in Thailand. Leadership role in negotiating bifurcated EPC contracts, consortium agreement, subcontracts and major equipment supply agreements. Hands-on management of contract performance including technical and commercial compliance, international logistics, erection, commissioning and testing, and final completion. Duties also included incorporation and operation of Thai company; and direction of all local and US based administrative, technical and commercial operations. Personally handpicked and led Thai and US-based project management team in exceeding expectations: producing early completion bonus entitlement, increased revenues, reduced costs, and well-founded claims and other recoverables.

**August'94 - March'97: Project Manager/In-Country Managing Director** - Seconded to UK contractor, reporting directly to CEO in London with overall responsibility for 175 MW turnkey power generation project in Greece. Project was found 50% complete and severely complicated by technical and commercial challenges. Reorganized and led Greek, US, and UK based project team to successful project recovery, completion and transfer to national utility owner. Coordinated foreign and Greek counsel, consultants and in-house staff in developing viable delay and cost recovery claims underlying subsequent litigation and settlement.

**May'88 - July'94: Project Engineer/Project Manager.** Completed four sequential domestic turnkey combined cycle power generation projects. Given total responsibility for technical content, engineering/procurement schedule and budget, and direction of project assigned engineering, administration, and purchasing staff. Coordinated subcontractors, suppliers and in-house resources to orderly completion of erection, commissioning and performance testing. Leading role in negotiating project completion and turnover to owners, claims, and subcontractor final accounts.

**Chiyoda International Corp, Seattle, Wa.**

**Jan '87- Apr '88**

Mechanical Systems design, construction and commissioning of various domestic process plants.

**Independent Design Consultant, Seattle, Wa. & Seneca, SC.**

**Jun '85-Dec '86**

Mechanical design for Jacobs Chuck Co., Kenworth Truck Co., and Boeing Co.

**Grace Africa, Johannesburg, South Africa**

**May'84-May'85**

Project Manager reporting to Managing Director, developing manufacturing expansion projects.

**Dorbyl Projects and Construction Co., Johannesburg, South Africa**

**Dec'82-Apr'84**

Responsible for turnkey steel forging facility project (2nd largest in Southern Hemisphere).

**WR Grace Cryovac Div., Duncan, S.C.**

**Jan'79-Nov'82**

Responsible for various capital projects in USA, UK, Australia, New Zealand, South Africa and Canada.

**PERSONAL:**

Date of Birth: 27 October, 1950  
Nationality: USA  
Marital Status: Married  
Languages: English, French, limited Greek