



## Erin Cutts

### Associée

T 403.232.9615

F 403.266.1395

Calgary

[ECutts@blg.com](mailto:ECutts@blg.com)

[LinkedIn](#)

[Différents en matière de construction](#)

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Erin's practice focuses on the construction and surety industry in Alberta. She provides measured advice to owners, developers and contractors, subcontractors, engineers, architects and sureties on construction related matters ranging from the formation and execution of the contract to the completion of the project and beyond.

Erin has widespread experience in negotiation, mediation, arbitration and litigation of construction disputes on significant commercial, industrial and infrastructure projects. Specifically, she advises clients on large-scale disputes involving the preservation and enforcement of builders' liens, procurement and tendering, construction contracts and the design and construction of infrastructure, such as hospitals, highways, bridges, apartment complexes and railways.

She also provides front-end advisory and risk management services to clients during the course of construction.

Erin also has experience with construction insurance-related matters, including:

- course-of-construction and wrap-up liability;
- general liability; and
- commercial general liability claims.

Erin is a former Member-at-Large of the Canadian Bar Association, Construction Section Executive and publishes regularly on a range of construction related law matters.

Erin provides legal services through a Law Corporation.

## Experience

- Counsel in an arbitration for a design-build contractor in a complex and multifaceted dispute arising out of the design and construction of a highway infrastructure project in Alberta
- Counsel in a multi-party arbitration, acting for a construction manager in a dispute arising out of the construction of a large hospital project in northern Alberta, with claims and cross-claims involving the public owner and a number of subcontractors
- Counsel for a general contractor involved in disputes with various subcontractors arising out of certain deficiencies that materialized during the construction of a large hospital project in Saskatchewan
- Defended a general contractor against subcontractor claims in relation to the construction of a light rail transit line in Alberta
- Defended a subcontractor involved in a dispute with a general contractor over alleged mechanical deficiencies in the construction of an apartment complex
- Defended an electrical contractor against claims from its subcontractor during the construction of a power station in Saskatchewan
- Counsel for a lender involved in a dispute with purchasers of a residential complex over the application of *caveat emptor*

## Insights Rollup

- Autrice, « Projets de modification à la PPCLA et à la PWA en Alberta (projet de loi 30) », article de BLG, avril 2025
- Autrice, « Time waits for no one: Procurement complaints before the CITT », article de BLG, septembre 2024
- Autrice, « Part 1 - Current and consequences: Understanding environmental impacts of transmission lines », article de BLG, juin 2023
- Autrice, « PPCLA transition periods: What this means for the construction industry », article de BLG, mai 2023
- Autrice, « Commercial landlords: Qualifications as an “owner” for the purposes of a builders’ lien », article de BLG, avril 2023
- Co-author, "[Navigating and applying price escalation clauses](#)," *On-Site Magazine*, January 5, 2023
- Autrice, « Milestone Payments and Proper Invoices under the Prompt Payment and Construction Lien Act », article de BLG, octobre 2022
- Author, "[Keeping the ‘good’ faith: Contract termination not as simple as complying with terms](#)," *On-Site Magazine*, April 2021.
- Author, "[He said, she said: Issues with the enforcement of no-oral variation clauses](#)," *On-Site*, 2020.
- Author, "[Unanticipated site conditions and exclusionary clauses: Who is Responsible?](#)," *On-Site Magazine*, April 2020
- Autrice, « Timing is Everything: When to Make a Claim During an Ongoing Construction Project », article de BLG, mai 2019
- Author, "Protecting the Integrity of the Tendering Process: No Such Thing as Unfettered Discretion," *Construction Law Letter*, January/February 2016
- Author, "Limitation Clauses and Non-Parties," *Construction Law Letter*, July/August 2014.

## Beyond Our Walls

### Professional Involvement

- Member, Canadian Bar Association
- Member, Calgary Bar Association
- Member at Large, Canadian Bar Association, Construction Section Executive

### Community Involvement

- Volunteer, Dress for Success Calgary
- Former volunteer, Big Brothers and Sisters of Canada
- Former volunteer instructor teaching English as a second language, Calgary Immigrant Educational Society

## Awards & Recognitions

- Recognized in the 2024 edition of *The Canadian Legal Lexpert Directory* (Construction Law)
- Recognized in the 2024 edition (and since 2021) of *Benchmark Litigation Canada* as a Future Star.
- Recognized in the 2024 edition of *Lexpert® Special Edition: Infrastructure*.
- Recognized in the 2024 edition (and since 2023) of *Benchmark Litigation Canada's* "40 & Under Hot List".

## Bar Admission & Education

- Alberta, 2011
- JD, Université de Calgary, 2010
- BA (first-class Hons.), Université de Calgary, 2007
- Certificate, Eastern European studies, University of Economics, 2005

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### BLG | Vos avocats au Canada

Borden Ladner Gervais S.E.N.C.R.L., S.R.L. (BLG) est le plus grand cabinet d'avocats canadien véritablement multiservices. À ce titre, il offre des conseils juridiques pratiques à des clients d'ici et d'ailleurs dans plus de domaines et de secteurs que tout autre cabinet canadien. Comptant plus de 725 avocats, agents de propriété intellectuelle et autres professionnels, BLG répond aux besoins juridiques d'entreprises et d'institutions au pays comme à l'étranger pour ce qui touche les fusions et acquisitions, les marchés financiers, les différends et le financement ou encore l'enregistrement de brevets et de marques de commerce.

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