TRAUB LIEBERMAN

NEWS & EVENTS

September 3, 2025

Traub Lieberman Partner Jessica Kull and Associate Jonathan Powell Win Motion to Dismiss in Favor of General Contractor

Related Attorneys: Jessica N. Kull

Traub Lieberman Partner Jessica Kull and Associate Jonathan Powell obtained dismissal on behalf of a general contractor of an improper attempt to confirm an arbitration order as a final arbitration award under the Illinois Uniform Arbitration Act (710 ILCS 5/1 et seq.). The matter arose from an underlying construction arbitration. Certain subcontractors involved in the arbitration as third-party defendants filed a petition in court to confirm a dismissal order entered by the arbitrators as a final award. The arbitration order that the subcontractors sought to confirm as final was issued at the outset of what would be a year-long, multi-party arbitration hearing. Using the American Arbitration Association's Construction Industry Arbitration Rules, Jessica and Jon argued that the Court lacked jurisdiction to confirm the arbitration order because it was not a "final award" as required under the Uniform Arbitration Act, and rather, was akin to an interlocutory order. They argued that the subcontractors' attempt to confirm the interlocutory order as final would permit parties to engage in piecemeal litigation thereby defeating the purpose of arbitration, which is to resolve disputes efficiently and economically. The Court agreed and dismissed the subcontractors' petition, finding that it lacked jurisdiction.

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