Brian R. Gaudet

Partner

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Services

Alternative Dispute Resolution

Appellate Litigation

Construction & Infrastructure

Construction Litigation

Contracts & Commercial Agreements

Government Contracting & Public Procurement

Litigation

Industries

Construction & Infrastructure

Energy

Retail & Consumer Goods

Brian Gaudet's practice encompasses all aspects of the project and construction cycle from contract document preparation, review and negotiation to litigation and dispute resolution of related claims. Brian provides effective contract document preparation, creation, and negotiation to structure relationships that will put our clients in a position to handle the inevitable challenges that arise throughout the course of a project. Brian's wealth of experience in negotiating construction related agreements from the various points of view gives him tremendous insight into the goals and objectives of each of the parties and assists in crafting negotiated contract clauses which require insightfulness and creativity to get the parties past the deal-breaker items.

Throughout the course of the project, Brian's focus shifts to problem solving, dispute minimization, and dispute avoidance. When those efforts are unsuccessful Brian is often engaged to assist with the making or evaluation of mechanics and materialmen's lien and payment and performance bond claims. Brian's significant experience representing surety companies is an asset to those clients dealing with performance or payment bond defaults on bonded projects.

Brian also has experience in negotiating and documenting other commercial relationships related to the industries he works with. Brian has been involved in contract documentation and negotiation for both public and private projects including domestic and international projects totaling more than several billion dollars in the areas of oil and gas, EPC, EPCM, industrial, pipelines, highway, fiber optics, infrastructure, solar, pharmaceuticals, manufacturing, chemicals, commercial, education, retail, residential, multi-family residential, affordable housing, supply, distributorships, etc. Additionally, Brian is Board Certified in Construction Law by the Texas Board of Legal Specialization, having earned that recognition from the first year that such an area of specialization was offered.

Prior to joining the firm, Brian was a Director in the Houston, Texas office of a well-established law firm in its litigation, construction, and surety practice sections. Previously, he served as a judicial intern to the Honorable Richard H. Edelman and the Honorable Charles W. Seymore in the Fourteenth Court of Appeals in Houston.

In addition to the practice of law, Brian spent several years on the Adjunct Faculty at the University of Houston where he taught Construction Documentation in their Construction Management Program.

Brian has authored numerous articles and routinely speaks on a wide variety of current topics concerning the construction industry, including at local, state, national and international events.

Brian currently serves as the Editor for the American Bar Association, Section of Litigation, Construction Litigation Committee as well as the *Law360* Construction Editorial Advisory Board.

Brian is consistently recognized at the highest levels by his peers. He was recognized as a Texas "Super Lawyer" in 2025 and the five years immediately preceding and a “Rising Star” in 2014 and each of the four years immediately preceding by *Super Lawyers* magazine. Brian was listed in the 2026 and the five years immediately preceding editions of *Chambers USA: America’s Leading Lawyers for Business* in the area of Construction. He was recognized in 2027 and the three years immediately preceding by *The Best Lawyers in America*® for Construction Law and Construction Litigation. Brian was recommended for Construction Law in 2025 by *Legal 500 US*. He is *AV Preeminent*® rated by Martindale-Hubbell.*

Brian is a member of Mensa.

Education

South Texas College of Law J.D. (2004) *magna cum laude*

University of Tennessee at Knoxville B.A. (1997) Political Science and Government

Admissions

Texas (2004)

Court Admissions

U.S. District Court for the Eastern District of Texas

U.S. District Court for the Northern District of Texas

U.S. District Court for the Southern District of Texas

U.S. District Court for the Western District of Texas

U.S. Tax Court

Clerkships

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Professional & Community Activities

Texas Board of Legal Specialization, Board Certified in Construction Law (2016)

American Bar Association, Section of Litigation, Construction Litigation, Construction Law and Tort and Insurance Practice Sections

State Bar of Texas, Construction Law Section

Houston Bar Association, Construction Law Section

Law360's Construction Editorial Advisory Board

South Texas College of Law, Center for Legal Responsibility, Mediation Training

Qualified Impartial Third Party under Texas Law

Texas Residential Construction Commission, Arbitration Task Force, Former Member

Mensa, Member

Insights

News Releases

Kilpatrick Attorneys Once Again Earn Outstanding Recognitions in 2027 Edition of The Best Lawyers in America®

August 20, 2026

News Releases

Kilpatrick Attorneys Earn 102 Rankings in 2026 Chambers USA and Global Guides

June 5, 2026

Perspectives

5 Key Takeaways | Construction Contracts, Lease Agreements, and Other Real Estate Contracts

April 27, 2026

Events

Construction Contracts, Lease Agreements, and Other Real Estate Contracts

April 24, 2026

Perspectives

8 Key Takeaways | Magnetic Advocacy: Influencing Construction Project Outcomes Without Using Formal Authority

March 3, 2026