

Key Elements to Consider BEFORE Filing a Mechanics Lien



Isaac Kotila
Regional Credit Manager
Insulation Distributors, Inc.

Michael Murray
Attorney
Lanak & Hanna P.C.

1

ROADMAP

- EASE – Considerations before lien filing
 - Educate
 - Alert
 - Scrutinize
 - Execute
- FILE – I've filed my lien, should I file my lawsuit
 - Foundation
 - Investment
 - Legality
 - Exposure

2

Educate

- Be Upfront
- Be Direct
- Be Consistent
- Be Positive



3

Alert

- Consult Your Connection
- Bring the Discussion Early

4

Scrutinize


- Self-Assessment
- Supporting Documentation




5

Execute

- Ensure Timely
- Ensure Availability



6

Filing Your Lawsuit

Now that you have recorded your mechanics lien, what are the considerations for filing your lawsuit?



7

Foundation

- How does this Impact my customer?
- How will it impact my ability to be paid?
- What response did my mechanics lien get?

8

Investment

- What am I owed?
- Does the property have equity?
- What is it going to cost?
- Are my costs recoverable and from who?
- How much time will I need to invest?



9

Legality

- Did I comply with the prerequisites?
- Am I timely?
- Did I include everyone?



10

Exposure

- What if I lose?
- What if someone files bankruptcy?
- What does winning mean?