


Timothy “Tim” J.W. Muller

Member

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Key Practices

Administrative and Government Law

Construction Law and Litigation

- Mechanic's Liens

Business and Commercial Litigation

- Business Torts and Business Interference Claims
- Lender/Borrower Litigation and Loan Workouts
- Complex Business Litigation
- Partnership and Limited Liability Company (LLC) Disputes
- Securities Litigation
- Shareholder Oppression Claims and Other Shareholder Litigation
- Unfair Competition and Deceptive Trade Practices

Admissions

State Bar Admissions
SC, MI

United States District Court
District of South Carolina

At Rosen Hagood, Tim's work focuses on construction law and litigation, government and utilities law, condemnation, and business and commercial litigation.

In his construction practice, Tim represents private and public owners, general contractors, subcontractors, and architects in construction defect claims, mechanic's lien claims, payment disputes, bond claims, and surety indemnification claims. He also works with clients to prevent disputes by developing contracts that address areas of potential conflict and providing legal advice on complex business issues that arise. Tim also has experience working with owners and homeowner associations in disputes and contract negotiation.

Tim's government and utilities practice includes representing county, municipal, and special purpose district utilities as general counsel. In his work, he provides guidance on a variety of legal matters, including entity governance, contract development, employment and real estate matters, eminent domain, and litigation. He has extensive experience in counseling governmental entities on implementing actions and policies within the context of Federal and South Carolina law.

Tim enjoys being involved with and improving the local community. He currently serves as Chairman of the Charleston Peninsula Neighborhood Consortium and as an appointed member of the City of Charleston's Town and Gown Committee. He has previously served on the Planning and Zoning Committee of the Preservation Society of Charleston, as President of the Cannonborough Elliotborough Neighborhood Association, and as an appointed member of several City of Charleston commissions.

Tim received his Bachelor of Arts degree in International Relations from Grand Valley State

Education

Charleston School of Law
(J.D., *cum laude*, 2008)

Grand Valley State
University (B.A.,
International Relations,
1998)

University in Michigan. After graduation, Tim worked in sales, design, and project management for Herman Miller, Inc. and its distributors for several years.

Tim received his J.D. with honors from the Charleston School of Law, having served on the Editorial Board of the Charleston Law Review. During his final year as a law student, he worked for the Honorable Patrick M. Duffy, District Court Judge for the United States District Court of South Carolina.

Experience

- Participation in the creation of ordinances, resolutions, bylaws, and operational policies for numerous local governmental entities.
- Represented general contractor in the settlement of a construction defect on a multi-family, 84-unit condominium project.
- Successfully represented local government entity in resolving a land condemnation dispute which allowed the government entity to keep the land as-is.
- Serves as general counsel to multiple general contractors and subcontractors and to several local governmental entities, including municipal bodies and special purpose districts, responsible for providing water, sewer, sanitation, and fire services.
- Obtained dismissal of a Complaint filed by a real estate developer challenging water and wastewater policies, resolutions, and ordinances of a local governmental entity.
- Participated in the successful prosecution and appeal of a mechanic's lien case acknowledging that construction administrative services performed by an Architect are considered labor and lienable under the South Carolina mechanic's lien statute.
- Obtained summary judgment on behalf of a surety in a construction defect lawsuit based on the application of South Carolina's statute of repose.
- Successfully defended a local government entity in an eminent domain challenge action filed by a real estate developer.
- Prosecuted and defended numerous condemnation cases involving utility easements and fee simple acquisitions on behalf of landowners and local governmental entities.
- Achieved numerous just compensation verdicts at trial and defended the ruling of an eminent domain case in the South Carolina Court of Appeals involving the interpretation of the South Carolina Eminent Domain Procedures Act.
- Attained summary judgment on behalf of a governmental entity in Federal District Court against a real estate developer that brought constitutional claims related to the extension of sewer service to a property.
- Represented numerous property owners, contractors, subcontractors, and architects in resolving construction defect complaints and mechanic's liens.
- Recovered more than 1.15 million in the context of a FINRA arbitration for a family when their investment broker's negligence and deceitful advice caused them substantial investment fund losses.
- Successfully negotiated the resolution of a claim involving a commercial fishing vessel destroyed by fire against a third-party insurer.
- Defended and resolved a personal injury mold case filed against a general contractor.

Publications & Speaking Engagements

- Condemnation Law Presentation (SC Association of Special Purpose Districts Annual Conference, 2021)
- “I Am An Owner Of My Company, What Does That Mean” in Catalyst Surety Partners Construction Journal (2019)
- Utility Easements and Eminent Domain for Special Purpose Districts (SC Association of Special Purpose Districts Annual Conference, 2018)
- Contributing editor, “South Carolina Children’s Law Resource Manual” (South Carolina Bar, 2014)
- “Oppression of Shareholders, Good Faith and the Duty of Loyalty” in Paradigm
- Editorial Board, “South Carolina Construction Law Desk Book” (South Carolina Bar, 2013)

Awards & Honors

- AV Preeminent® rating, Martindale-Hubbell
- Selected to the South Carolina Super Lawyers list, 2023 (State, Local, Municipal Law)
- Selected for inclusion in The Best Lawyers in America®, 2024 – Commercial Litigation
- Legal Elite of the Low Country (Charleston Business Magazine) – Construction, 2019



Involvement

South Carolina Bar

- Member, Construction Law Section

American Bar Association

Charleston County Bar Association

Carolinas Associated General Contractors (CAGC)

Charleston Contractors' Association

South Carolina Association of Special Purpose Districts

Community Involvement

- Chairman, Charleston Peninsula Neighborhood Consortium (2014-present)
- Member, City of Charleston Town & Gown Committee (2015-present)
- Commission Member, City of Charleston Central Business District Commission (2020-2021)
- Member, City of Charleston Hotel Task Force (2019)
- Member, City of Charleston Late Night Activity Commission (2014-2016)
- Member, Planning and Zoning Committee of the Preservation Society of Charleston (2013-2014)
- President and Officer, Cannonborough Elliotborough Neighborhood Association (2009-2014)