

# **Hacker Construction Consulting**

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**TOM HACKER**

## **SUMMARY OF QUALIFICATIONS**

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- Began working in the Construction Industry in early 1974
- Attained California State Contractors License in 1989
- Attained Nevada State Contractors License In 2000
- Professional Member of the ICBO (Voting Member)
- General Contractors License -B1

## **EDUCATION**

- High School
- Completed Plastering Apprenticeship in 1984
- Completed Dryvit Certification for EIFS in 1986
- Completed ICBO Building Inspectors Certification in 1999 for UBC
- Completed the California Home Improvement Contractors Certification in 2000
- Completed Certification for ICBO Building Inspector “2000 IBC” and IRC
- Completed Re-Certification for ICBO Building Inspector “2003 IBC” and IRC

## **PROFESSIONAL EXPERIENCE**

- From 1974 through 1982, I work for different trades in the Construction Industry. My experience ranged from sheet metal (lay-out, fabrication, and installation), framing (general framing, form building, roof framing and sheathing, and other related duties), concrete (tie steel, pour, finish, with some experience with aggregate finish), drywall (hanging, taping, and finishing), and plastering (scaffold building, lathing, three coat stucco, EIFS and One-coat stucco). (Other trade experience may not be listed)
- In 1982, I began working for Tobin and Rooney (Lath and Plastering Co.) as an apprentice.
- In Late 1984, I completed my apprenticeship and achieved journeyman level status. During which time I worked as a Foreman I ran crews with as many as 10 men. The projects included Commercial and Residential type construction.

- During the years of 1982 through 1987, I worked on projects ranging from High-rise buildings, Nuclear Plant, under ground tunnels, State Prisons, Post Offices, Schools, Apartments, Condominiums, and Single Family Homes. My duties included reading plans, ordering materials, scheduling, and get the man power needed to complete interior plastering, ornamental plastering, drywall finishing, thin wall, marblecrete, fireproofing, lathing, EIFS, and three coat stucco jobs.
- In March of 1989, I attained my California C-35 Plastering License. I had as many as 9 employees during the years of 1989 through 1999 and subcontracted jobs ranging from Single Family Homes, Small Construction Additions, Apartments, Condominiums, Low Rise Buildings, Commercial Tilt Wall Buildings, and Strip Malls. My contracts included framing, roofing, concrete, plumbing, electrical, interior plastering, ornamental plastering, drywall installation and finishing, EIFS, One coat stucco, lathing and stucco. I did all estimating and material ordering required to complete the jobs contracted.
- In July of 1998, PCMI retained my services as an employee. My Employment continued with PCMI through February of 2001. During my employment with PCMI, I completed my study to attain an ICBO Building Inspectors Certification. In March of 1999, I attained my Building Inspectors Certification. My job duties with PCMI were Consulting, **preparing cost estimates, preparing reports**, conduct window testing, arrange and supervise destructive testing, building inspections, testify in Deposition, and participate in Mediations. In July and August of 1999, as an employee of PCMI, I assisted with testing of concrete and the effects of concrete cracking as it relates to stucco cracks on residential homes. Also, testing of fiber mesh in concrete with comparisons to welded wire mesh as a reinforcement in concrete. The testing was conducted at Cal State University, Fullerton. The testing was completed under the direction of Dr. Ahmen Massollam, PHD.
- In February of 2001, I established Hacker Construction Consulting.
- As an ongoing participation relating to Construction Defect Litigation, I have provided seminars to Attorneys and Insurance Companies in California and Arizona. The intent of these seminars is to assist with, understanding the principals related to the standard practices of Contractors, Builders and Subcontractors and the identification of materials used for residential construction.
- As of March 27, 2002, I have completed the requirements for certification of Building Inspector under the International Building Code and the Residential Building Code (2000 IBC).
- May of 2003 provided services to the CSLB to rewrite Contractors exam for the C-35 license in California.
- In October of 2003, passed require examination and obtained a B1 General Contractors License.
- Currently providing consulting services and seminars to General Contractors to assist them in understanding new construction methods and specific areas of importance related to construction defects.
- Provided design details on various projects to assist in resolving water intrusion problems.
- Currently certified under the 2003 IRC and IBC International Building Codes and maintaining the status required for the 1997 Uniform Building Codes.

**PAST, RECENT OR CURRENT CASES (Does not include all cases)**

Raintree West v. Falcon Homes (Chaparral Paint and Drywall) Las Vegas, Nevada  
Alcantera v. Palm Gardens (Cedco Plastering) (One-Coat Stucco) Las Vegas, Nevada  
Beazer Homes v. Henry Maynard (Arizona Drywall) Phoenix, Arizona  
McDarrah v. Hancock Communities (MG Drywall) Phoenix, Arizona  
Moonlight Cove v. Pulte Homes (S.A.W. Stucco) (One-Coat Stucco) Phoenix, Arizona  
Echo Glen v. R.V. Jones (Owens Plastering and Drywall) (One Coat Stucco, Drywall, and Paint) Las Vegas, Nev.  
Buena Vista HOA vs. J.M. Gair & Collins (Briscoe Drywall and Painting Inc.) (Drywall and Paint) Las Vegas, Nev.  
Olen Residential Realty Corp. vs. Robert V. Jones (Owens Plastering and Drywall) (Three Coat Stucco, One Coat Stucco, Drywall, and Paint) Las Vegas, Nev.  
Western International vs. W.E. O'Neil Construction Co. of Arizona vs. USS Structural Glazing Group (W.E. O'Neil Construction Co.) (General Contractors) Las Vegas, Nev.  
Sonrisa v. Lawlor (Mitchell Drywall) (Drywall) Lake Havasu, Az.  
Shields, et al v UDC Homes (Arizona Drywall) (Drywall) Phoenix  
Troy Drywall adv. Norquay (Troy Drywall) (Drywall) Phoenix, Ariz.  
Mitchell adv. LC-Villas (Mitchell Construction Co.) (Framing and Paint) Phoenix, Az.  
Achen-Gardner adv. Ahrenberg, et al (Achen-Gardner) (Framing) Phoenix, Az.  
Cameray Pointe HOA v. Shawntane Partners (Nunez Plastering) (Three Coat Stucco) Aliso Viejo, Ca.  
Moritz v. Classic Development Corporation, et al. (Home Owners) Chino, Ca.  
Chris & Joan Cole vs. David Ahumada dba Patriot Builders (S & H Plastering) (Three Coat Stucco) Newport, Ca.  
Centex Real Estate v. Bill Hicks Concrete North Shore Project (Bakersfield, California)  
Concrete Issues (thickness, vapor barriers and standard of care).  
Arriba-Cisneros v. Heller (T & R Paint and Drywall) Gypsum Wallboard Issues

The following is a list of cases where either trial testimony or deposition testimony was provided:

- Dr. Christiansen vs. JPS Systems – trial testimony – stucco/EIFS issues
- Jo Angela vs. Terry Wolcott - deposition and trial testimony - stucco issues
- Chambers vs. Landis Corp. - deposition only - drywall issues
- Echo Glen HOA vs, Inland Empire Bldrs - deposition only - stucco issues
- Navarro vs. Swan Pools - deposition only - concrete issues
- Elan HOA vs. Picerne Construction - deposition only - stucco issues
- Summit Hills II vs Developer - deposition only - stucco issues
- Pueblo Santa Fe vs. Frey - deposition only - stucco issues
- Pueblo Santa Fe vs. Frey - deposition only - drywall issues
- Bldr. vs. DD Malone - deposition only - finish carpenter
- Alcantara vs. Palm Gardens - deposition only - stucco issues
- Alcantara vs. Palm Gardens - deposition only - shower enclosures
- Canyon Willow Tropicana vs. Torino Construction - deposition only-stucco issues
- Cernuto vs. Sutton Corp. – deposition only - stucco issues
- Fuller vs. Beazer Homes – Deposition only – stucco issues
- Sun City McDonald Ranch – Clubhouse- Deposition only – stucco issues

I have recently authored an evaluation and test report, which has been approved by the International Code Council related to one-hour fire rated walls. Publication was completed in March of 2006. The title of the publication is identified as ESR-1865, Alternative One-Hour-Fire- Rated Assembly.

**MEDIATIONS \* DEPOSITIONS \* TRIALS**

Mediation  
Participation  
  
**75+**

Deposition  
Testimony  
  
**15**

Trial  
Testimony  
  
**2**

**PLAINTIFF CASES \* DEFENSE CASES**

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Plaintiff  
Cases  
  
**10**

Defense  
Cases  
  
**100+**

Arbitration  
Testimony  
  
**4**

**AREAS OF EXPERTISE**

**BUILDING CODES**

**CONCRETE**

**COST ESTIMATING**

**PLASTERING**

**GENERAL FRAMING**

**FIRE-RATED ASSEMBLIES**

**ONE COAT STUCCO**

**SCAFFOLDING**

**DRYWALL**

**THREE COAT STUCCO**

**WINDOW INSTALLATION**

**SHEET METAL**

**EIFS**

**FLOORING SYSTEMS**

**FIREPROOFING**

**FLASHING SYSTEMS**

**DOOR INSTALLATION**

**CMU WALLS**