Erin Cutts

Partner

T 403.232.9615
F 403.266.1395
Calgary
ECutts@blg.com
LinkedIn

Construction Disputes
Construction Contracts
Commercial Litigation
Commercial Arbitration
Defence & National Security

Erin's practice focuses on the construction and surety industry in Alberta. She provides measured advice to owners, developers and contractors, subcontractors, engineers, architects and sureties on construction related matters ranging from the formation and execution of the contract to the completion of the project and beyond.

Erin has widespread experience in negotiation, mediation, arbitration and litigation of construction disputes on significant commercial, industrial and infrastructure projects. Specifically, she advises clients on large-scale disputes involving the preservation and enforcement of builders' liens, procurement and tendering, construction contracts and the design and construction of infrastructure, such as hospitals, highways, bridges, apartment complexes and railways.

She also provides front-end advisory and risk management services to clients during the course of construction.

Erin also has experience with construction insurance-related matters, including:

- course-of-construction and wrap-up liability;
- general liability; and
- commercial general liability claims.

Erin is a former Member-at-Large of the Canadian Bar Association, Construction Section Executive and publishes regularly on a range of construction related law matters.

Erin provides legal services through a Law Corporation.

Experience

- Counsel in an arbitration for a design-build contractor in a complex and multifaceted dispute arising out of the design and construction of a highway infrastructure project in Alberta
- Counsel in a multi-party arbitration, acting for a construction manager in a dispute arising out of the construction of a large hospital project in northern Alberta, with claims and cross-claims involving the public owner and a number of subcontractors
- Counsel for a general contractor involved in disputes with various subcontractors arising out of certain deficiencies that materialized during the construction of a large hospital project in Saskatchewan
- Defended a general contractor against subcontractor claims in relation to the construction of a light rail transit line in Alberta
- Defended a subcontractor involved in a dispute with a general contractor over alleged mechanical deficiencies in the construction of an apartment complex
- Defended an electrical contractor against claims from its subcontractor during the construction of a power station in Saskatchewan
- Counsel for a lender involved in a dispute with purchasers of a residential complex over the application of *caveat emptor*

Insights & Events

- Author, "Buying Canadian: Recent developments in Canadian public procurement", BLG Article, May 2025
- Author, "Take Two: Proposed Amendments to Alberta's PPCLA and the PWA (Bill 30)", BLG Article, April 2025
- Author, "Time waits for no one: Procurement complaints before the CITT", BLG Article, September 2024
- Author, "Part 1 - Current and consequences: Understanding environmental impacts of transmission lines", BLG Article, June 2023
- Author, "PPCLA transition periods: What this means for the construction industry", BLG Article, May 2023
- Author, "Commercial landlords: Qualifications as an "owner" for the purposes of a builders' lien", BLG Article, April 2023
- Co-author, "Navigating and applying price escalation clauses," *On-Site Magazine*, January 5, 2023
- Author, "Milestone Payments and Proper Invoices under the Prompt Payment and Construction Lien Act", BLG Article, October 2022
- Author, "Keeping the 'good' faith: Contract termination not as simple as complying with terms," *On-Site Magazine*, April 2021.
- Author, "He said, she said: Issues with the enforcement of no-oral variation clauses," *On-Site*, 2020.
- Author, "Unanticipated site conditions and exclusionary clauses: Who is Responsible?," *On-Site Magazine*, April 2020
- Author, "Timing is Everything: When to Make a Claim During an Ongoing Construction Project", BLG Article, May 2019
- Author, "Protecting the Integrity of the Tendering Process: No Such Thing as Unfettered Discretion," Construction Law Letter, January/February 2016
- Author, "Limitation Clauses and Non-Parties," Construction Law Letter, July/August 2014.

Beyond Our Walls

Professional Involvement

- Member, Canadian Bar Association
- Member, Calgary Bar Association
- Member at Large, Canadian Bar Association, Construction Section Executive

Community Involvement

- Volunteer, Dress for Success Calgary
- Former volunteer, Big Brothers and Sisters of Canada
- Former volunteer instructor teaching English as a second language, Calgary Immigrant Educational Society

Awards & Recognitions

- Recognized in the 2026 edition of *Benchmark Litigation* as a Litigation Star
- Recognized in the 2025 edition (and since 2021) of *Benchmark Litigation Canada* as a Future Star
- Recognized in the 2024 edition of *The Canadian Legal Lexpert Directory* (Construction Law)
- Recognized in the 2024 edition of *Lexpert® Special Edition: Infrastructure*
- Recognized in the 2024 edition (and since 2023) of *Benchmark Litigation Canada's* “40 & Under Hot List”

Bar Admission & Education

- Alberta, 2011

- JD, University of Calgary, 2010
- BA (first-class Hons.), University of Calgary, 2007
- Certificate, Eastern European studies, University of Economics, 2005

BLG | Canada’s Law Firm

As the largest, truly full-service Canadian law firm, Borden Ladner Gervais LLP (BLG) delivers practical legal advice for domestic and international clients across more practices and industries than any Canadian firm. With over 800 lawyers, intellectual property agents and other professionals, BLG serves the legal needs of businesses and institutions across Canada and beyond – from M&A and capital markets, to disputes, financing, and trademark & patent registration.

blg.com

© 2026 Borden Ladner Gervais LLP. Borden Ladner Gervais LLP is an Ontario Limited Liability Partnership.