



MICHAEL C. CASTELLON

MEMBER - Litigation & Construction

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Practice Areas

Construction Litigation
Construction Agreements
Real Estate and Commercial Litigation

Bar Admissions

New York, 2016
Georgia, 1986
U.S. Court of Appeals 4th Circuit, 1997
U.S. Court of Appeals 8th Circuit, 1986
U.S. District Court Northern District of Georgia, 1986
U.S. Court of Federal Claims, 1988
U.S. Court of Appeals for Veterans Claims, 1991

Education

Duke University School of Law

• J.D. - 1986

Honors & Activities:

• Editor and articles editor of *Alaska Law Review*; Bidlake Award for legal writing

Vanderbilt University

• B.E. Electrical Engineering (*magna cum laude*) - 1983

Honors & Activities:

• Tau Beta Pi and Eta Kappa Nu engineering honor societies

University of Georgia

• M.B.A. - 2005

Honors & Activities:

• Beta Gamma Sigma and Phi Delta Phi honor societies

Michael C. Castellon is a member with Rosenberg & Estis, P.C. and heads the firm's Construction Litigation Group.

Mike has more than 30 years of experience representing developers, public and private owners, institutions, municipalities, public housing authorities, contractors, design professionals, subcontractors, and suppliers in the commercial, residential, transportation, energy, power, industrial, and manufacturing industries to successfully resolve disputes in a timely and cost effective manner, and to negotiate and draft all manner of construction related agreements.

Prior to joining Rosenberg & Estis, Mr. Castellon was the General Counsel of the Skanska/Walsh Joint Venture, the Design-Build of the \$4.2 billion LaGuardia Airport Central Terminal B Redevelopment Project - the largest PPP airport redevelopment project ever built to date. In that role, he prepared and negotiated hundreds of subcontracts, purchase orders, vendor agreements, professional agreements, Letters of Intent, Non-Disclosure Agreements, and other commercial agreements, negotiated and drafted change orders, and resolved numerous delay, defect, and scope of work claims and disputes.

Mike also has been the North America corporate counsel for a French subway/railway design-builder, and corporate counsel for an Austrian hydro-turbine generation design-builder.

Prior to his in-house experience, Mr. Castellon was a partner with Sutherland Asbill & Brennan and a shareholder at the construction law boutique Griffin Cochrane & Marshall (which merged with Sutherland in 2006).

Mike has an undergraduate degree in electrical engineering, in addition to his law degree and MBA.

Mike also has been a construction industry Arbitrator for the American Arbitration Association (2011-2014).

Notable Work

Mr. Castellon has tried a substantial number of cases to verdict in state and federal courts and arbitration tribunals, including the following:

- **Arbitrations**, representing:



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- Japanese tire manufacturer against contractor of its first North American production facility;
- Electrical subcontractor installing fiber optic cable under the Chicago Loop against Kiewit;
- Bridge and highway contractor against the Arkansas DOT;
- Mixed-use apartment project developer against its project contractor;
- Apartment developer against general contractor; and
- Developer of high-rise office tower against project contractor.
- **Bench Trials**, on behalf of:
 - Hospital contractor against the Veterans Administration (VAB-CA);
 - Electrical subcontractor for Wheeling-Nisshin's Aluminum Galvanizing Line in Pittsburg; and
 - Highway contractor against subcontractor of I-85 bridges and roadways.
- **Jury trials**, for:
 - Heavy civil contractor against the City of Charlotte Convention Center authority;
 - Exhibition and Convention Center owner against general contractor and subcontractors of electrical and HVAC systems;
 - Civil contractor against retaining wall subcontractor for project delays;
 - Beach resort condominium developer defending claims of homeowners; and
 - Electrical subcontractor against contractor of a Miracle Mile retail development in Chicago.

Classes & Seminars

- Lunch and Learn classes for non-lawyers, "Subcontracting 101 and 201;" "Payment and Performance Bonds;" "Change Orders 101;" "Litigation Awareness"
- "Introduction to Critical Path Method Scheduling" (Andritz 2014)
- "Top 10 Issues When Negotiating a Power Plant EPC Contract," 2012 ACC Webinar Series

Published Works

- "Insurance versus Indemnity Provisions in Contracts – Pitfalls and Drafting Pointers" - SYSTRA (2016)
- "The Pitfalls of Defective Product and Power Output Warranties,"



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AWEA WINDPOWER (2012)

- “Consensus Docs,” Associated Owners and Developers Construction Industry Conference (2010)
- “Expediting Construction Disputes,” International Bar Association paper (2007)
- “The New Rules for Expedited Dispute Resolution Procedures,” American Bar Association Section of Dispute Resolution Section presentation, American Bar Association (2007)
- “Construction Law for Builders, Owners and Designers” 1999
- “Claims,” Contractor Magazine 65, February 1988
- “Standing to Challenge the Disposition of Land in Alaska,” 2 Alaska Law Review 393 (1985)

Honors & Awards

- AV rated by Martindale Hubbell
- Georgia’s Best Lawyers, Construction Law (2013)

Pro Bono Activities

- Habitat for Humanity in New York, Inc. - Board of Directors and Chairman of Audit Committee, 2015 - present
- Habitat for Humanity in Atlanta, Inc. - Board of Directors and member of Executive Committee, 1998 - 2014
- Habitat for Humanity of Dekalb County, Inc. - Chairman of Site Selection and Family Selection Committees, 1990s
- Volunteer, Bowery Street Homeless Shelter, New York, 2015 to present
- Vanderbilt University Engineering Alumni Council, 2010 - 2012
- Team Leader for mission teams to Cuba, Malawi, and Ecuador (2008-2014)