



Mark I. Zelko Of Counsel

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Areas of Practice

Commercial Litigation
Construction Law
Real Estate
Commercial Transactions

Education

Boston University School of Law

- J.D. - 1995

Boston University

- B.A. (*magna cum laude*) - 1992
- Major: Economics
- Major: English

Bar Admissions

- New York, 1996
- U.S. District Court Eastern District of New York, 1999
- U.S. District Court Southern District of New York, 1999

Languages

- Italian

Mark I. Zelko joined Rosenberg & Estis, P.C. in 2017 and is of counsel with the firm's Administrative Department. Mr. Zelko practices in the areas of commercial litigation, construction law, real estate, and commercial transactions. Mr. Zelko has counseled and represented clients for over 24 years in a broad range of industries ranging from multinational Fortune 500 and publicly traded companies to start-up ventures and small businesses. Mr. Zelko's experience in litigating complex commercial, construction and real estate matters also provides him with a unique perspective and invaluable insight in negotiating construction, real estate and commercial transactions for his clients so that they may avoid transactional pitfalls and reduce the risk of adverse litigation in these ventures.

In his litigation practice, Mr. Zelko has successfully represented clients in state and federal courts, appellate courts, and in arbitration proceedings and mediation. Mr. Zelko works closely with his clients as soon as potential litigation emerges to resolve claims within the client's fiscal constraints and business objectives. Mr. Zelko has successfully litigated a myriad of construction matters including defective construction, delay damages, change order claims and lien law actions. Mr. Zelko also routinely engages in commercial litigation matters including breach of contract, shareholder, and commercial lease actions.

Mr. Zelko counsels clients in all aspects of construction, from negotiating and drafting contracts to addressing change order issues, defective construction, termination and project close-out issues as they may arise in a given project. Mr. Zelko routinely represents owners, developers, general contractors, and subcontractors in his construction practice and utilizes this wide experience to counsel his clients so that they may confidently navigate the risks and pitfalls of each project.

Mr. Zelko graduated *magna cum laude* from Boston University with a dual major in economics and english and received his J.D. from Boston University School of Law.

Mr. Zelko speaks fluent Italian and holds dual citizenship between the United States and Italy. He has spent considerable time in Italy and his understanding of the culture and business environment provides him with a unique perspective in representing both Italian clients doing business in the United States and American clients doing business in Italy and the European Union.

Representative Cases

- *Naccari v. National Railroad Passenger Corp. and Amtrak*, 2001 WL 863415
- *Angelo Capobianco Inc. v. Brentwood Union Free School District*, 862 N.Y.S.2d 561 (2nd Dept. 2008)
- *Racanelli Construction Co., Inc. v. Tadco Const. Corp.*, 855 N.Y.S.2d 645 (2nd Dept. 2008)
- *Matter of Kussman v. GiveAnything.com, Inc.*, 33 A.D.3d 1004 (2nd Dept. 2006)

- Gregory v. Universal Certificate Group, LLC, 822 N.Y.S.2d 495 (1st Dept. 2006)

Representative Clients

- Amtrak
- Verizon
- Otis Elevator
- The Plaza Hotel
- AIG
- TSY S Prepaid, Inc.
- WAC Lighting
- Universal Certificate Group LLC