



Andrew J. Poltorak

Title: Member

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Andrew is a member of the firm's Construction Service Group in the Lexington, Kentucky office with a focus on complex commercial disputes. He has litigated and arbitrated matters involving contract disputes, business torts, trade secret protection, construction disputes, product liability, shareholder litigation, zoning and code compliance, and financial services litigation. In addition to his litigation practice, he regularly reviews, drafts, and advises clients regarding construction contracts and other related agreements. His clients include property owners, general contractors, subcontractors, financial institutions, and manufacturers.

CAPABILITIES

Practice Areas

- Construction
- Drafting, Reviewing & Negotiating Construction Contracts
- Litigation & Appeals

RECENT ASSIGNMENTS

- Involved in the successful resolution of an owner's claims against a contractor stemming from the deficient design and manufacture of an automated food handling system
- Involved in the successful representation of a contractor in obtaining timely payment on a public project through preserving and asserting statutory lien rights
- Involved in obtaining a temporary restraining order and permanent injunction on behalf of a family owned business to prevent the theft of trade secrets
- Involved in obtaining zoning commission approvals for new residential developments on behalf of publicly traded homebuilder
- Involved in the successful representation of a publicly traded company in defending against intentional tort claims
- Involved in the successful defense of a national contractor related to Ohio worker's compensation claims through dispositive motions
- Involved in the successful arbitration of claims by a consultant under an Integrated Project Delivery Agreement
- Involved in the successful removal of an overstated mechanic's lien on a public school project
- Involved in the successful representation of a company in ensuring commercial general liability coverage for first-party claims
- Represented owner in the negotiation of a complex construction agreement for the installation of a unique domed facility

BAR ADMISSIONS

- Kentucky
- North Carolina
- Ohio
- U.S. District Court for the Northern District of Ohio
- U.S. District Court for the Southern District of Ohio
- U.S. District Court for the Western District of North Carolina

RECENT NEWS, ARTICLES & SPEAKING ENGAGEMENTS

- New Executive Directives by President Biden Strengthen Existing Buy American Act *with Aaron R. Klein and Gregory P. Parsons* Stites & Harbison Client Alert, May 5, 2021
- Ask the Expert featuring Allyson Cook and Andrew Poltorak of Stites & Harbison, PLLC WEBINAR, Associated Builders and Contractors, Ohio Valley Chapter, April 17, 2020
- Pipeline Crafts Urge U.S. Supreme Court to Reverse Atlantic Coast Pipeline Decision and to Allow a More Reliable Permitting Process Stites & Harbison Client Alert, October 7, 2019
- In Hindsight . . . Supreme Court of Kentucky Reaffirms Its Retrospective Approach to Enforcing Liquidated Damages Provisions Stites & Harbison Client Alert, May 14, 2019
- Supreme Court of Kentucky Holds Claim-Preservation Requirements Not Barred by KFCA; Strictly Enforced Notice Provisions *with Steven M. Henderson* Stites & Harbison Client Alert, December 21, 2018
- The Ultimate Battle to Enforce Timely Payments Stites & Harbison Client Alert, July 17, 2018
- Legal Updated Regarding Status of the Waters of the U.S. ABC Northern Kentucky Chapter, May 2018

MEMBERSHIPS

- American Bar Association
- Ohio State Bar Association
- Cleveland Metropolitan Bar Association
- Cincinnati Bar Association

COMMUNITY INVOLVEMENT

- C-Change Class of 2019, Cincinnati USA Regional Chamber

EDUCATION

Elon University School of Law J.D. *cum laude* 2012

Clemson University B.S. 2005

MORE THAN STITES & HARBISON

Andrew has served the construction industry since graduating from Clemson University in 2005 – first as a project manager for a residential homebuilding company, and more recently as counsel to owners, contractors and subcontractors. He enjoys getting involved at various stages of a project.

Prior to joining Stites & Harbison, Andrew worked in the litigation practice group for a large law firm in Cleveland, Ohio.

Andrew is the proud father of two young daughters and is actively involved in regular renovation projects.

ACCOLADES

- *Best Lawyers in America*®, Ones To Watch, Litigation - Construction (2022)