



Cassidy R. Rosenthal

Title: Member

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Cassidy R. Rosenthal is the Lexington Office Executive Member and a Member of the Construction Service Group. Her practice focuses on advising clients throughout all phases of construction projects including planning, contract drafting and negotiation, and project administration. Cassidy successfully guides her clients through construction claims and disputes including informal negotiations, mediation, litigation in state and federal courts, and in arbitration throughout the country. In addition to leading the firm's Lexington office, Cassidy is a leader in the community serving on the Commerce Lexington Board, and a leader in the construction industry serving on the Associated General Contractors of Kentucky Board, and serving as Chair for the American Bar Association Forum on the Construction Industry Division 1 Dispute Avoidance & Resolution Steering Committee.

CAPABILITIES

Practice Areas

- Airport Law
- Aviation
- Business Litigation
- Construction
- Drafting, Reviewing & Negotiating Construction Contracts
- Fabricated Structural Steel
- Litigation & Appeals
- Manufacturing
- Public Private Partnerships (P3)

RECENT ASSIGNMENTS

- Drafts and negotiates a publicly-traded company's master services agreements for design, construction, commissioning, geotechnical and other services. Assists client's staff daily with contract drafting, negotiation, claims defense, and project close-out. The client's projects are located in several states, and continuing to expand.
- Successfully represented design builder in arbitration against owner and subcontractors.
- Drafted design agreements and construction management contracts for a manufacturing owner.
- Drafts, reviews and advises airport on design and construction contracts and other development issues.
- Negotiated construction management agreement for healthcare facility.
- Successfully defended owner against contractor's breach of contract claim in arbitration.
- Successfully prosecuted a wrongful termination claim against public owner and a negligent misrepresentation claim against an engineering firm.
- Defeated a subcontractor's claim for wrongful termination in a jury trial.
- Advise a general contractor client on all aspects of its business: upstream and downstream contracts, as well as claims and project manager training.
- Defeated contractor's defective material claim in a jury trial.

BAR ADMISSIONS

- Kentucky
- Ohio
- U.S. Court of Appeals for the 6th Circuit
- U.S. District Court for the Eastern District of Kentucky
- U.S. District Court for the Western District of Kentucky

RECENT NEWS, ARTICLES & SPEAKING ENGAGEMENTS

- Information You Need on the COVID-19 Coronavirus *Stites & Harbison, PLLC* March 2020
- What to Do About Drug Use on the Job Site
Annual AGC of Kentucky Safety, Issues and Education Conference, Louisville, KY, November 1, 2019
- Chapters 18 & 19: Kentucky Construction Lien and Bond Law
Co-author, **Fifty State Construction Lien and Bond Law Book**, Fourth Edition, 2018
- Public Private Partnerships in Kentucky
Associated General Contractors of Kentucky and Construction Financial Managers, Moderator, May 2018
- Has It Really Been a Decade? The 2017 AIA Contract Documents
American Bar Association Forum on Construction Law Fall Meeting, Program Chair, Boston, Mass., October 2017
- Good Intentions, Scary Results: Avoiding the Money Pit in 'Green' Renovations
Earth, Wind, Fire & Water: Sustainable Construction in a Changing Environment, American Bar Association Forum on Construction Law Midwinter Meeting, Palm Desert, Calif., February 2017
- Kentucky Court of Appeals Entertains Contractor's Negligent Misrepresentation Claims Against Archite Stites & Harbison Legal Update, January 26, 2017
- First Steps in the Process
Moderator, Kentucky P3: Public-Private Partnerships Conference, Lexington, Ky., October 27, 2016
- To Un-Jam Transportation Infrastructure Tenn. Tries P3s
Law360, May 26, 2016
- Kentucky Enacts Public-Private Partnership Legislation
The Goods, Kentucky Association of Manufacturers, May 2016
- AIA Documents from the Owner's Perspective: How to Best Protect Your Project
ABA Webinar, April 5, 2016
- Young Lawyer Division Writing Practicum
Presenter, ABA Midwinter Meeting, Forum on Construction Law, January 2016

- Kentucky Construction Law
Author, chapter on "Damages and Remedies," Second Edition, 2015
- Capital Construction Process for Small Institutions
Presenter, NACUBO Seminar, July 2015
- Important Construction Contract Considerations: Reducing Potential Sources of Dispute
Presenter, Van Meter Insurance Seminar, June 2015
- Kentucky Enacts A New Project Delivery Method Stites & Harbison Client Alert, April 3, 2015
- Contractors and Owners Beware: Your contracts may limit your Recoverable Damages Stites & Harbison Client Alert, January 14, 2015
- Integrated Project Delivery Contract Documents
Presenter, Society for Marketing Professional Services, Kentucky Chapter, November 2014

FIRM LEADERSHIP

- Office Executive Member, Lexington office
- Lexington Office Recruiting Committee, Member (ex officio)
- Business Acceptance Committee, Member

MEMBERSHIPS

- American Bar Association
- American Bar Association, Forum on Construction Law
- American College of Construction Lawyers
- Construction Lawyers Society of America
- Kentucky Bar Association
- Fayette County Bar Association
- Fayette County Bar Association Pro Bono

COMMUNITY INVOLVEMENT

- Commerce Lexington, Board of Directors, General Counsel
- Leadership Lexington, Graduate
- Downtown Lexington Corp., Board of Directors
- Lexington Opera Society, Board of Directors, 2004-09
- Lexington Junior League, 2005-10

EDUCATION

University of Kentucky College of Law J.D. *magna cum laude* 2002

- Order of the Coif
- *Kentucky Law Journal*
- Research Assistant for Professor Rutherford B. Campbell

DePauw University B.A., History and English 1998

- Carson History Scholarship, 1996-98
- DePauw Dean's Scholarship
- Pi Beta Phi Sorority, President

MORE THAN STITES & HARBISON

Cassidy is a member of the Board of Directors of Commerce Lexington, the Associated General Contractors of Kentucky and the Downtown Lexington Corp. She is a graduate of Leadership Lexington and is an active member of the ABA Forum on the Construction Industry, serving as Chair of the Division 1 Dispute Avoidance & Resolution Steering Committee. Cassidy is the past-president of the Fayette County Bar Association Board of Directors.

ACCOLADES

- *Best Lawyers in America*[®], Construction Law (2017-20)
- *Kentucky Super Lawyers*[®] (2013-17)
- *Benchmark Litigation*, Future Star (2018-19)
- *Benchmark Litigation*, Under 40 Hot List (2016)