STITES & HARBISON PLLC



Cassidy R. Rosenthal

Title: Member

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Cassidy R. Rosenthal is a construction and commercial attorney who advises owners, developers, and contractors on complex construction matters, with particular experience supporting large-scale data center and infrastructure projects.

Cassidy guides clients through the full lifecycle of construction projects—from early-stage contracting and risk allocation through project execution and dispute resolution. She regularly works with industry-standard and bespoke construction agreements, including EPC, design-build, and construction management structures. Cassidy is known for her collaborative style and ability to translate complex legal concepts into clear, actionable guidance for business teams.

A significant portion of Cassidy's experience involves data center development, where she assists clients navigating the legal and commercial challenges unique to high-value, time-sensitive, and technically complex facilities. Her work includes supporting data center owners and developers on contractor and vendor agreements, coordinating with multidisciplinary project teams, and addressing issues related to commissioning, delays, and compliance with project requirements. Cassidy helps clients navigate sophisticated projects while protecting schedule, cost, and performance with a practical, solutions-oriented approach.

In addition to transactional support, Cassidy represents clients in construction-related disputes, including claims arising from delays, defective work, payment issues, and contract interpretation. She has litigated and arbitrated disputes with successful jury and arbitrator awards that included recovery of attorney's fees and interest.

Cassidy is a leader both at the firm, serving as Stites & Harbison's Lexington Office Executive Member, and in the community. She is a Fellow of the American College of Construction Lawyers and serves on ACCL's Board of Governors, serves on the Governing Committee of the American Bar Association's Forum on Construction Law, is a Director of the Associated General Contractors of Kentucky, and is a past Chair of Commerce Lexington.

CAPABILITIES

Practice Areas

- Construction
- Data Center Service Group
- Drafting, Reviewing & Negotiating Construction Contracts
- Business Litigation
- Litigation & Appeals
- Public Private Partnerships (P3)
- Manufacturing
- Airport Law

BAR ADMISSIONS

- Kentucky
- Ohio
- Texas
- 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

- The Business of Law
  by Liz Carey, *Smiley Pete Publishing*, March 31, 2026
- What Lawyers Need to Know About the Business of Construction
  Moderator, American College of Construction Lawyers 37th Annual Meeting, Scottsdale, AZ, February 20, 2026
- Kentucky legislators paved the way for data center development. Will Kentuckians benefit?
  by Connor Giffin, *Louisville Courier Journal*, July 29, 2025 ,*with Holly A. Couch*
- Kentucky Vastly Expands Data Center Tax Incentives
  ,*with Holly A. Couch* Stites & Harbison Client Alert, April 17, 2025

- Kentucky Tax Incentives for Qualified Data Centers
  ,*with Holly A. Couch* Stites & Harbison Client Alert, December 6, 2024
- Recent Developments in Attorney-Client Privilege
  Speaker, 2024 Construction Law Institute, Lexington, KY, October 17, 2024 ,*with John Paul Stilz (JP)*
- In-House Counsel and the Attorney-Client Privilege: The Blurred Line Between Legal and Business Advice
  Journal of the American College of Construction Lawyers, Volume 18, No. 2, Summer 2024
- Plenary Five - Recent Developments in Attorney-Client Privilege, Especially Involving In-House Counsel
  Speaker, ACCL 35th Annual Meeting, Carlsbad, CA, February 23, 2024
- Message from the Outgoing Board Chair
  Business Focus, Official Publication of Commerce Lexington, Inc., January 2024
- Message from the Incoming Board Chair
  Business Focus, Official Publication of Commerce Lexington, Inc., January 2023
- Legal Services: Managing a full docket
  By Shannon Clinton, The Lane Report, November 16, 2022
- Shining a Light on the Construction Issues Keeping In-House Counsel Up At Night
  Forum on Construction Law 2022 Annual Meeting, New York, NY, May 4-7, 2022
- The Art of Hot Tubbing
  panel member, ABA Forum on Construction Law 2021 Fall Meeting, October 2021
- Lexington legal firms tackle the pandemic pivot
  by Greg Paeth, *The Lane Report*, October 29, 2021
- Winter Warm-Up: A Forum Fireside Virtual Construction Conference
  Conference Co-Chair, American Bar Association Forum on Construction Law, February 24-26, 2021
- 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 Architect
  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 *,with Charlotte Turner McCoy*
- 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 Contact Documents
  Presenter, Society for Marketing Professional Services, Kentucky Chapter, November 2014

FIRM LEADERSHIP

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

MEMBERSHIPS

- American Bar Association,

- Litigation Section, Member

- American Bar Association, Forum on Construction Law,
  - Governing Committee, Member
  - Division 1 Steering Committee, Past Chair

- American College of Construction Lawyers,
  - Fellow
  - Board of Governors (2026-29)

- Associated General Contractors of Kentucky,
  - Director (2016-present)
  - Legislative Committee, Chair (2019-present)

- Construction Lawyers Society of America,
  - Fellow

- Kentucky Bar Association,
  - Public Contract and Construction Law, Member

- Fayette County Bar Association,
  - Past-president, Board of Directors, Executive Committee

COMMUNITY INVOLVEMENT

- Commerce Lexington, past Chair of Board of Directors; former General Counsel
- Commerce Lexington Foundation, Board of Directors and past Chair
- Leadership Lexington, Graduate
- Downtown Lexington Corp., former member of 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
- DePauw University B.A., History and English, 1998

MORE THAN STITES & HARBISON

In addition to leading the firm’s Lexington office, Cassidy is a leader in the community. Cassidy is a past Chair of the Commerce Lexington Board and she previously served as General Counsel. She also serves the construction industry as a Director for the Associated General Contractors of Kentucky (2016-present), and currently serves on the Governing Committee of the American Bar Association's Forum on Construction Law and is Past-Chair for the ABA's Forum on the Construction Industry Division 1 Dispute Avoidance & Resolution Steering Committee. Cassidy is the past President of the Fayette County Bar Association Board of Directors. She is a University of Kentucky Fellow and is active in her church.

ACCOLADES

- *Best Lawyers in America*®, Lexington Construction Law Lawyer of the Year (2026)
- *Best Lawyers in America*®, Construction Law (2017-27)
- *Kentucky Super Lawyers*® (2013-17)
- *Benchmark Litigation*, Future Star (2018-26)
- *Benchmark Litigation*, Under 40 Hot List (2016)