

THOMAS J. ROSSI
Attorney-at-Law
Dispute Resolution Services
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EMPLOYMENT

June 2002 to Present	Rossi, Crowley, Sancimino & Kilgannon, LLP (f/k/a Rossi & Crowley, LLP) – Partner
March 1985 to May 2002	Canfield, Venusti, Madden & Rossi, LLP and predecessor firm; Associate - 1985 to 1988; Partner 1989 to 2002

ARBITRATION & MEDIATION

American Arbitration Association 1988-present	Member, Panels of Commercial & Construction Arbitrators (1988) & Mediators (approx. 1991)
New York State Supreme Court Commercial Division - N.Y. County 2002-2012; 2019-Present	Member, Panel of Mediators
Chartered Institute of Arbitrators	Fellow

Arbitration Experience

Member of the American Arbitration Association's Construction and Commercial Panels of Arbitrators and served as chairperson and panelist on more than 200 disputes including numerous large and complex construction, design, government contract, real estate, and employment disputes. Construction projects include industrial, transit facilities, schools, highway, universities, bridge, health care facilities, medical imaging facilities, performing arts facilities, office buildings, affordable housing, high-end retail, sports complexes, high-end residential. General commercial disputes have involved international sales contracts, business dissolutions, employment contracts, real estate development disputes, property damage claims.

Issues vary greatly including interpretation of complex contracts, delay claims, surveying errors, breach of contract, complex design defects concerning architects and civil and mechanical engineers, change orders, changed conditions, construction manager billing disputes, allocation of damages arising from tax credit issues for affordable housing projects, structural failures, valuation of businesses and contracts, application of FAR in government contract disputes, government reimbursement requirements for international sales contracts; property damage allocation and value; real estate valuation and leasing disputes.

Mediation Experience

Served as mediator through AAA and privately on dozens of matters principally involving construction and design and real estate; claims have included multi-party dispute concerning a major structural failure on a new building construction project in Manhattan; dispute between joint venture partners over cost overruns and alleged over billings on a municipal infrastructure project; dispute between a surety and a general contractor/CM concerning a completion contract for a public works project after a surety take-over; dispute between university and its construction manager and major subcontractor over delays and design deficiencies concerning the construction of a new academic building; a multi-party dispute between municipality, contractor and design professional concerning waterfront renewal project; dispute between key employee and employer over calculation of bonuses due under an employment contract; dispute between general contractor on a New Jersey highway restoration project and manufacturer/supplier of prefabricated components; dispute between contractor and owner concerning design deficiencies and cost over-runs in connection with the construction of a multi-story medical facility; multi-party dispute between shopping center developer, general contractor and several subcontractors concerning new construction and renovation of existing suburban shopping center; dispute between a real estate developer, construction manager and end-user/box retailer concerning a new development in Queens County, New York; dispute between two A/E firms over fees concerning a large NYC municipal project; numerous claims between owners and design professionals over alleged design deficiencies and professional malpractice; multi-party claim concerning a structural failure at a casino renovation project; numerous disputes involving luxury housing; dispute between a contractor and a consulting engineering firm concerning selection and design of a tower crane for a new high-rise construction project; dispute between a developer and an architectural firm concerning alleged over-design of a project rejected after construction by municipality after audit; dispute among multiple family members/owners concerning the dissolution of a business and distribution of its assets; dispute between a steel fabricator and a design-build contractor concerning a public works project; dispute between an owner and a design-build contractor concerning the construction of a new sports facility; dispute between three adjoining owners of landmark properties over an alleged easement for waste, water and gas pipes; a dispute between owner/developer of food distribution center and engineer over design of a new warehouse/distribution center; a dispute between developer and manufacturer of prefabricated storage facilities over new construction/erection project; a dispute between the buyer and seller of a service provider concerning valuation of existing contracts; several disputes concerning commercial property damage claims; dispute between owners of high end condominium project, contractors and design professionals over structural failure of interior ceiling system; multi-party dispute between owner, construction manager, general contractor and numerous subcontractors concerning construction of a new suburban hotel; dispute between contractor and owner over renovation of landmarked NYC hotel; dispute between developer/foreign manufacturer of highly-complex medical imaging equipment and installation contractor over new multi-hospital imaging center

LAW PRACTICE

Over 35 years of experience as civil trial attorney and commercial practitioner with a concentration in construction, design, government contracts, real estate, trusts and estates and labor & employment.

Construction & Design: Representation of contractors, subcontractors, design professionals, owners, sureties, and insurers involving public and private projects. Projects included industrial, infrastructure, bridges, schools, affordable housing, sports facilities, museums, hospitals, medical, performing arts auditoriums, office, retail, and high-end home construction. Disputes involved changed conditions, complex delays, design defects, A/E and surveyor malpractice, subcontractor claims, convenience and default terminations, labor, licensing and responsibility, surety bond claims, and lateral support of adjoining structures.

Real Estate: Represent owners and real estate related business entities in real estate disputes concerning sales, leasing, mortgages, property damage claims, and valuations; representation of title insurance companies and their insureds in title claims litigation; transactional real estate matters concerning commercial and residential sales/purchases, financing and leasing matters

Labor & Employment: Drafting and negotiation of employment contracts; defend and prosecute claims of employment discrimination; prevailing wage disputes; FLSA/state law labor violations

General Commercial and Corporate: Serve as general counsel to a variety of businesses including manufacturers, professional services firms, real estate professionals and construction and design firms; forming corporations and LLCs, negotiations and preparation of shareholder agreements, LLC operating agreements, buy/sell agreements, contracts for the sale of businesses; contested trust and estates matters including will contests, misuse of powers-of-attorney, contested accountings

TEACHING POSITIONS

St. John's University School of Law, Adjunct Professor (“Construction Law”)
October 2013 - present

PROFESSIONAL AFFILIATIONS

New York State Bar Association; Commercial and Federal Litigation and ADR Sections

Member NYS Grievance Committee for the Second
Eleventh & Thirteenth Judicial Districts 2014-Present

NYC Community Planning Board 5 - Member of Board and Land Use Committee
2000-2014

Columbian Lawyers Association Past President, Current Member of Board & Scholarship
w/Committee

EDUCATION & BAR ADMISSIONS

May 1982 Fordham University – BA (English)
May 1985 St. John’s University - JD

Admitted to New York State Bar - February 1986
Member of the Bars of the Federal District Courts for the Eastern, Southern and Northern
Districts of New York and Second Circuit Court of Appeals

REFERENCES AVAILABLE UPON REQUEST