



## PRACTICES

Resorts and Hospitality  
Stadiums, Arenas, and Sports

## INDUSTRIES

Construction and Development

## EDUCATION

The Ohio State University Moritz College  
of Law, J.D., 1983  
*cum laude*

The Ohio State University, B.S., 1980  
*cum laude*

## BAR ADMISSIONS

Wyoming  
Ohio

## COURT ADMISSIONS

U.S. Court of Federal Claims  
U.S. Court of Appeals for the Sixth Circuit

# Michael Currie

## Of Counsel

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**With extensive in-house counsel and private practice experience, Mike brings valuable dual perspectives to guide companies developing and constructing large projects.**

Mike has more than four decades of experience serving as General Counsel for major construction companies, including Kokosing Construction Company and most recently at Westpatrick Corp., the owner of C.J. Mahan Construction Company and Prestress Services Industries. This distinctive background includes working on a diverse array of heavy civil and industrial projects—from billion-dollar bridge projects like the \$11 billion Brent Spence Bridge replacement to the construction of steel mills, water and waste treatment plants, power generation facilities (hydro-electric, steam, solar, and ethanol), corporate campuses, high-rise buildings, highways and other infrastructure, manufacturing operations, maritime construction, and projects with the United States Army Corps of Engineers. This breadth of work provides him with invaluable insight into the legal and logistical realities project developers and construction companies face as they plan, construct, and complete projects.

Mike represents owners, contractors, subcontractors, architects, engineers, suppliers, and sureties throughout the construction process. Clients rely on his sage guidance to select, structure, and negotiate agreements across project delivery methods—including lump sum, cost-plus, guaranteed maximum price (GMP), line-item GMP, EPC, joint venture, and public-private partnership agreements—to facilitate the best outcome based on the stakeholders involved and the nature of the project.

He also brings robust experience litigating and using ADR to resolve disputes that arise during and after construction, including several state supreme court cases that established important legal precedents on bid protests, economic loss, and how to calculate home office overhead.

In addition to Mike's senior executive roles at Westpatrick Corp. and Kokosing Construction Co., he previously was a partner at Thompson Hine LLP, head of its construction litigation practice group, and a member of the firm's executive committee. Mike also founded and served as principal of Currie & Associates LLC.

## EXPERIENCE

### Contract Negotiation and Drafting

- Lump sum, cost-plus, and guaranteed maximum price (GMP)

contracts

- EPC and joint venture agreements
- Public-private partnership structures
- Subcontract and supply agreements

### **Litigation and Dispute Resolution**

- Construction defect and schedule claims, including delay, acceleration, and loss of efficiency claims
- Bid protests and contract disputes
- Professional liability matters
- Arbitration and mediation
- Surety and insurance coverage disputes

### **Project Types and Industry Sectors**

- Sports facility development
- Heavy civil construction and infrastructure
- Bridge and highway construction
- Industrial and power generation facilities
- Maritime and geotechnical construction

## **CLIENT RESULTS**

### **Supreme Court Cases**

*Dugan & Meyers v. State of Ohio* (Ohio 2007): Successful defense of contractor delay and extra work claims

*Corporex Development v. Shook, Inc.* (Ohio 2005): Established economic loss doctrine in Ohio

*Complete General v. ODOT* (Ohio 2002): Established use of Eichleay formula for home office overhead

*Shook Heavy v. City of Kokomo* (Indiana 1994): First impression bid protest case

### **Major Litigation Recoveries**

*C.J. Mahan v. AMP Ohio*: Recovered \$30M+ on \$200M hydroelectric project after successful contract termination

*OBM HQ v. CHI Franklinton*: \$3M+ arbitration award plus \$1.65M in fees and \$500K expenses

Kokosing HRSG Project: Resolved \$30M+ in claims through arbitration

Multiple Court of Claims Cases: Recovered \$1.7M+ in West Virginia highway projects

## **PROFESSIONAL AND CIVIC AFFILIATIONS**

- American Bar Association, Forum Committee on the Construction Industry, Member
- Ohio State Bar Association
- Columbus Bar Association, Committee on Construction Law, Past Chairman
- Ohio Contractors Association
- Associated General Contractors
- Central Ohio Builders Exchange
- Association of Corporate Counsel
- American Arbitration Association Panel Member