

Mike Stenglein

Partner

Trial and Global Disputes

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Mike Stenglein specializes in business litigation and arbitration. He is Managing Partner of our Austin office, leader of the firm's Global Construction and Engineering Disputes practice and a member of the firm's ten-person Policy Committee.

With more than 25 years of experience, Mike represents clients in many industries, including the construction, energy and oilfield services, retail, professional services, environmental contamination, oil and gas-related disputes. He has been lead counsel in many state and federal court litigations and international arbitrations. In arbitration, he has represented clients before numerous tribunals, including the International Chamber of Commerce, the London Court of International Arbitration, ICSID, the American Arbitration Association, and CPR.

Mike has been recognized in Chambers USA where it states that he is "an extraordinary litigator who is highly strategic in his approach to cases and is also excellent at tactical work" and that he is "an extremely skilled advocate and communicator and his level of service is very high." Mike has also been recognized by Who's Who Legal, and Legal 500 for his work in the construction sector. King & Spalding was named Construction Group of the Year by Law360 in 2019 and 2020. Mike was also named a BTI Consulting Group Client Service All-Star in 2019 and 2020. Mike was one of 355 attorneys recognized with this award. Each year BTI independently reaches out to top legal decision makers at organizations with more than \$1 billion in revenue and seeks unbiased feedback. No law firm or attorney influences the results, submits nominations or provides client names to BTI.

Previously, Mike worked for five years as a Certified Public Accountant with Coopers & Lybrand.

Matters

Represented Haliburton in several federal and state court cases alleging ground water contamination in Duncan, Oklahoma (the *Osage* litigation). That litigation lasted more than 6 years, involved thousands of claimants, and alleged property value diminution and physical injuries.

The *Osage* cases were also very public with media appearances by Erin Brockovich, numerous television news reports, newspaper articles, and several different plaintiff firms advertising for clients.

Representing **a confidential client** in a dispute arising from construction of a crude oil refinery. The

dispute is before the International Chamber of Commerce and deals with one of the largest construction projects in South America.

Represented a **confidential client** in arbitration in the London Court of International Arbitration arising from a nearly \$1 billion construction project in Southern Iraq.

Representing a **confidential client** in AAA arbitration over construction of several power plants in Texas.

Representing a **confidential** South American company in ICC arbitration involving dispute over surplus construction materials.

Represented a **confidential client** over construction of a power plant in Pennsylvania.

Represent a **confidential client** in construction dispute involving electrical failure that forced business disruption.

Represented Bass Pro in contract dispute in federal court and secured settlement involving \$40+ million in payments and tens of millions in additional future revenue.

Represented a **confidential client** in arbitration over construction of hotel and retail store in Tennessee.

Represented a **confidential client** in dispute over hotel construction in Missouri.

Represented Bass Pro in Delaware Chancery Court over purchase price dispute.

Represented Halliburton in Texas state court litigation in dispute involving fracking technology.

Represented a **confidential client** in multiple patent infringement litigations over fracking technology.

E.ON v. Gamesa: Represented **Gamesa** in AAA arbitration where plaintiff requested approximately \$90 million in damages allegedly caused by design defect in wind turbine blades. Matter proceeded to final confidential hearing in January 2013. Excellent result achieved for client after final hearing.

Windstar v. Gamesa: Represented **Gamesa** in AAA arbitration initially defending allegations of delay and disruption in building a utility-grade wind farm in California. Gamesa asserted counterclaims. Matter proceeded to final hearing, and Gamesa prevailed on all claims.

AMEC/Zachry Crushed Stone Contractors Joint Venture, et al. v. CEMEX Construction Materials Florida, LLC: Represented **CEMEX** in a lawsuit filed in Orlando state court (Business Court Division) involving a dispute over a \$60 million cost overrun arising from the construction of a cement plant in Brooksville, Florida.

Lower Colorado River Authority v. Montoya Anderson Construction, Inc., et al.:

Represented **CEMEX** in a lawsuit filed in Fayette County, Texas, involving a dispute over the construction of an addition to the Fayette County power plant.

U. S. Contractors v. Parsons/Technip: Represented **U.S. Contractors** in a construction dispute before a three-person arbitration panel. U.S. Contractors received a judgment of more than \$4 million, including attorney's fees. Parsons/Technip's counterclaims of approximately \$6 million were dismissed in their entirety.

Weatherford International v. Panalpina: Represented **Weatherford International** in a lawsuit

against a freight-forwarding company that failed to facilitate timely transportation of materials and equipment to Iraq.

Cooper Industries v. Wyman Gordon: Represented **Cooper Industries** in federal court litigation arising out of disputes associated with a 1994 Stock Purchase Agreement.

Cameron International v. Cooper Industries, LLC.: Represented **Cooper Industries** in AAA arbitration defending claims of breach of contract and other allegations arising from the creation of Cameron in 1995 via divestiture of assets from Cooper.

King Pharmaceutical, Inc. and Meridian Medical Technologies, Inc. v. Intelliject, Inc. : Represented **patent holder** in Paragraph IV patent infringement lawsuit regarding auto-injector technology, filed in the District of Delaware.

Alpharma Inc. v. Wyeth: Represented **Alpharma Inc.** in a breach of a contract and trademark infringement case to seek termination of a competitor's license to one of Alpharma's key trademarks, filed in the Southern District of New York.

JD Wind et al. v. Public Utilities Commission of Texas et al. : Represented **Occidental Permian Ltd.** in multiple regulatory, state and federal litigation involving the appropriate electric rates that must be paid to certain wind-generation facilities in the Texas Panhandle.

Occidental Chemical Corp. v. Entergy Louisiana LLC and the Louisiana Public Service Commission: Represented **Occidental** involving the proper methodology for calculating avoided cost payments to qualifying facilities under the Public Utility Regulatory Policies Act, filed in the Middle District of Louisiana.

Michigan South Central Power Agency v. Constellation Energy Commodities Group, Inc., f/k/a Constellation Power Source, Inc.: Represented **Constellation Energy** in breach of contract lawsuit where the plaintiff sought to shift SECA, congestion and other charges to Constellation.

Infinite Energy, Inc. v. Econnergy Energy Company, Inc.: Represented **Gateway Energy** in a breach of contract action arising from a terminated merger transaction between the companies, filed in the Northern District of Florida.

Deutsche Bank tax-related litigation: Represented **Deutsche Bank** in multiple lawsuits pending in state and federal court throughout Texas and the Southwest.

In Re Pacific Gas and Electric Company: Represented **PG&E Corporation** in litigation arising out of California's energy crisis, including trial work confirming PG&E's Plan of Reorganization.

Adelphia Communications Corp. v. John J. Rigas, Timothy J. Rigas, Michael J. Rigas, James P. Rigas, et al.: Represented **the Rigas Family** in all facets of civil litigation in connection with Adelphia Communications Corp., including more than 60 securities fraud lawsuits, numerous RICO lawsuits and adversary proceedings in bankruptcy court.

David Croucher, et al. v. MidCon Corp Employee Stock Ownership Plan, et al. : Represented **U.S. Trust Company** in an alleged breach of ERISA fiduciary duties class action involving the valuation of tracking stock.

Credentials

EDUCATION

J.D., University of Houston, summa cum laude

B.S., University of Florida

ADMISSIONS

U.S. Court of Appeals for the Fifth Circuit
U.S. District Court for the Eastern District of Texas
U.S. District Court for the Northern District of Texas
U.S. District Court for the Southern District of Texas
U.S. District Court for the Western District of Texas
U.S. District Court for the Eastern District of Michigan
U.S. District Court for the Western District of Michigan
U.S. District Court for the Western District of Arkansas
U.S. District Court for the Northern District of Florida
Texas

Recognition

Leader of the team named Construction Group of the Year

LAW360, 2020

Texas Trailblazer

TEXAS LAWYER, OCTOBER/NOVEMBER 2020

Leader of the team named Construction Group of the Year

LAW360, 2019

Ranked in construction litigation

CHAMBERS USA 2019

Client Service All-Star

BTI CONSULTING GROUP, 2019, 2020

Construction

LEGAL 500

Construction

WHO WHO'S LEGAL

Events

CONFERENCE

November 21, 2019

Global Construction Disputes Tokyo Seminar: Dealing with Delay and Defects from Contracting and Claims Perspectives

News

IN THE NEWS

June 15, 2021 • Source: Law360

Craig Stanfield, Christie Cardon, Robert Sheppard, Steven Zager and Mike Stenglein represent Woodville Pellets in its air pollution dispute with the Sierra Club

RECOGNITION

October 13, 2021

Benchmark Litigation Recognizes King & Spalding as a Leading Litigation Firm

July 16, 2021

Global Arbitration Review Names King & Spalding Top Two in International Arbitration

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