

Mike Stenglein

Partner

Trial and Global Disputes

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Mike Stenglein specializes in arbitration and litigation of business disputes and is Managing Partner of our Austin office. Mike is leader of the firm's Global Construction and Engineering Disputes practice and also represents corporate clients in a broad range of matters. Mike brings accounting experience to his representation of corporations in a variety of business disputes. He is skilled at dispute resolution, including via arbitration (both domestic and international) as well as in state and federal court litigation. In arbitration, he has represented clients before tribunals, including the International Chamber of Commerce, the London Court of International Arbitration and the American Arbitration Association.

Mike focuses particularly on issues involving construction, business torts, contracts and internal investigations, along with regulatory matters before agencies such as the Federal Energy Regulatory Commission, the Public Utility Commission of Texas and the Electric Reliability Council of Texas.

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

Matters

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 Third Circuit

U.S. Court of Appeals for the Fifth Circuit

U.S. Court of Appeals for the Ninth Circuit

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 Eastern District of Tennessee

U.S. District Court for the Northern District of Florida

Texas

Recognition

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

Construction
LEGAL 500

Construction
WHO WHO'S LEGAL

Insights

ARTICLE

July 20, 2018 • Source: Lexology
Construction in the USA

NEWSLETTER

September 1, 2017
Tokyo Dispute Resolution & Crisis Management Newsletter – September 2017

Events

CONFERENCE

September 21, 2017
King & Spalding Global Construction Disputes Tokyo Seminar: Show Me The Money

News

CASES & DEALS

June 13, 2019
Bluegreen Agrees to Significant Settlement to Resolve Bass Pro Dispute

IN THE NEWS

August 6, 2019 • Source: Law360
Mike Stenglein represents MTU Maintenance Berlin-Brandenburg in a dispute with ProEnergy Services over the confirmation of a \$6.2M arbitral award to our client

June 17, 2019 • Source: Law360
Mike Stenglein counsels MTU Maintenance Berlin-Brandenburg GmbH before a Missouri federal court in an attempt to order Pro Energy Services to pay more than \$6.2M

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