

# Michael E. Tucci

## PARTNER

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## Clients appreciate Michael's creative, timely and cost-effective solutions to complex construction and real estate litigation.

Michael helps clients resolve complex construction and real estate disputes efficiently and cost effectively. His novel approach to such cases often includes pre-lawsuit mediation and case evaluation, and the extensive use of ADR and mini-trials confined to the essential issues in dispute. Every effort is made to resolve disputes at an early stage as opposed to traditional, costly litigation. When cases cannot be resolved quickly, Michael leads the litigation effort vigorously and tenaciously, always with an eye toward demonstrating to the opposing party and tribunal the lack of merit to his adversary's position.

Prior to joining the firm, Michael served as Senior Counsel to the Resolution Trust Corporation (RTC), the federal agency created by Congress in 1989 to resolve the savings and loan crises. In that capacity, he directed the litigation efforts of the staff in over 50,000 lawsuits, oversaw the negotiation and documentation of complex acquisitions of failed financial institutions, and advised the RTC division directors and deputies in all aspects of the operation of a federal agency. His government experience also included the drafting of major legislation and implementing regulations governing the operation of federal agencies.

## PRACTICES & INDUSTRIES

Construction  
Government Contracts & Investigations  
Real Estate Litigation

## ADMISSIONS

Tennessee, 1985  
District of Columbia, 1991  
Virginia, 1991  
U.S. Supreme Court  
U.S. Court of Federal Claims  
U.S. Court of Appeals for the First, Second, Fourth, Sixth, Eighth, Ninth, District of Columbia and Federal Circuits  
Various U.S. district courts throughout the country

## EDUCATION

University of Tennessee, J.D., 1985  
University of Tennessee, B.A., Philosophy and Political Science, 1980

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## EXPERIENCE

Lead Counsel to Fortune 100 company in complex multi-party construction litigation concerning damages to a natural gas turbine generator in a power plant at a federal government facility.

Lead Counsel to Fortune 100 company in dispute regarding the operation, maintenance and allegedly defective equipment at a renewable energy biosolids facility at a municipal waste-water treatment plant.

Counsel to NYSE data center REIT in dispute over project development with competing data center developer and in federal court action challenging a \$340 million land acquisition.

Counsel to both government and non-government clients in Inspector General Audits and investigations as well as Congressional investigations.

Counsel to the United States Air Force in the public private partnership (P3) involving the privatization and development of approximately \$3 billion in military housing assets under the Military Housing Privatization Initiative.

Extensive experience in representing major corporations, court-appointed receivers and trustees in construction and development disputes and real estate workouts. These transactions involve luxury hotels, power plants, government buildings, a foreign embassy and other significant business assets. In addition, Michael has extensive experience in appeals, primarily at the federal level. In fact, he has argued more than 30 appeals in nearly every federal circuit across the country.

## PROFESSIONAL & CIVIC ACTIVITIES

American Bar Association, Business Law and Litigation Sections

## SPEAKING ENGAGEMENTS

Michael has spoken at numerous seminars and public meetings on topics related to complex litigation involving construction and real prospect disputes.

Law in Everyday Life and the Importance of Pro Bono  
10.27.2022