

## Raymond T. Mellon

SENIOR PARTNER

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Raymond T. Mellon, Senior Partner, is a leading construction litigator and experienced trial lawyer with an extensive background representing prominent real estate owners and developers, and architectural, engineering and contracting firms on business negotiations and in litigation. In addition to consulting with clients on general business matters, construction contract drafting and negotiation, and risk management strategies, Mr. Mellon represents design professionals in disciplinary and licensing proceedings before the City and State of New York. Mr. Mellon's clients also include some of the largest developers in the United States as well as owners, developers, construction managers, contractors and other parties in the construction industry.

Mr. Mellon is a leading authority on the issues associated with building in New York City's urban environment where the proximity of the "Building Next Door" requires knowledge of complex safety and licensing issues. He works with owners and developers of commercial, high-rise residential, townhouses and mixed-use properties to protect their adjacent neighbors' structures during construction.

Mr. Mellon is General Counsel and Honorary Member of the Brooklyn and Queens AIA Chapters. He is also an Honorary Member of the New York State AIA. Mr. Mellon is also a member of the National and New York Chapters of the Society of American Registered Architects, the Architects Council of New York City, and the New York Building Congress' Transportation & Infrastructure Committee. Mr. Mellon is a Construction Law Arbitrator for the American Arbitration Association (AAA).

Mr. Mellon was selected as a 2020 *Trailblazer* by the **New York Law Journal** for his early recognition of the potential use of RPAPL 881, a then under-utilized New York State Law that allows a court to grant a temporary license to access a neighboring property to perform work and install necessary protection work. This becomes especially important when a license agreement cannot be reached with the neighboring property owner. Now widely used, this strategy minimizes disputes that can hold construction projects hostage. **City & State Magazine** honored him as a 50 Over 50 Leader in New York for his work in as construction lawyer.

Since 1996, Mr. Mellon has been selected by his peers to achieve the AV rating from **Martindale-Hubbell**. He is consistently recognized for his experience and expertise as a construction litigator by **Chambers USA**, **The Legal 500 US**, **Super Lawyers** and **The Best Lawyers in America**. A client testimonial from the 2024 edition of *The Legal 500 US* recently proclaimed, "Raymond Mellon is an outstanding litigator." Client testimonials from Chambers USA 2024 praised Mr. Mellon as a "[g]reat litigator with business acumen to get to the resolution," and "[h]e knows the industry and issues."

Mr. Mellon is a recipient of the Distinguished Presidential Citation from the Society of American Registered Architects, the New York Society of Architects Distinguished Service Award and the Advancement of the Architectural Professional Award by the Brooklyn AIA.

## Education

Hofstra University School of Law, J.D.  
Hofstra Law Review, Articles Editor

Hofstra University, B.A.  
*magna cum laude*  
Phi Beta Kappa

## Admissions

New York

## Court Admissions

U.S. Supreme Court

U.S. Court of Appeals, Second Circuit

U.S. Court of International Trade

U.S. Tax Court

U.S. District Court, Southern District of New York

U.S. District Court, Eastern District of New York

## EXPERIENCE

### Representative Matters

Mr. Mellon represents prominent architectural, engineering and contracting firms on business negotiations and in litigation. In addition to consulting with clients on general business matters, construction contract drafting and negotiation, and risk management strategies, Mr. Mellon represents design professionals in disciplinary and licensing proceedings before the City and State of New York.

Mr. Mellon is a leading authority on the issues associated with building in New York City where the proximity of the “Building Next Door” requires knowledge of complex safety and licensing issues. He works with owners and developers of commercial, high-rise residential, townhouses and mixed-use properties to protect their adjacent neighbors' structures during construction.

**The following are select representative matters:**

### Aviation

#### **Multi-Million Dollar Airport Terminal Design Defect Claim**

We represented a leading design professional in connection with a multi-million dollar design defect claim arising out of the design and construction at an airport.

### Commercial

#### **Acquisition of an Engineering Firm and Subsequent Professional Licensing**

We represented a national MEP engineering firm in the acquisition of another engineering practice. The acquisition provided our client with broader expertise in strategic vertical industries including

education and healthcare.

We prepared and negotiated the asset purchase agreement as well employment agreements for the principals of the acquired firm. We reviewed the active project contracts on behalf of both parties to confirm that all consent and licensing issues were attended to pre-closing. We also assist our client with securing and tracking business-level licensing in all states in which it conducts business on an ongoing basis and have assisted the acquired firm with licensing support requires as a result of the acquisition.

## **Infrastructure**

### **Long Island City Lots Litigation**

We are representing the owner of multiple lots and buildings in Long Island City.

## **Mixed-Use**

### **Compensation for Extensive Damage to a Landmarked Building**

We obtained compensation for our client, a plaintiff property owner of a landmarked, mixed-use building in SoHo, New York City in a lawsuit against the neighboring property owner and its design professionals and contractors.

### **License Negotiations for the Development of Residential High-Rise**

We represented the property owner for the development of a Manhattan residential high rise.

## **Residential**

### **Summary Judgment Granted in a Residential Project Lawsuit Involving a Defective Design**

We defended an architect in a lawsuit brought by the developer of a residential development in New York City in a suit claiming \$13M in damages.

### **Construction Contracts and License Agreements for a New Residential Tower in New York**

We represented a major real estate developer and owner in the drafting and negotiation of license agreements with adjoining property owners, as well as preparing all construction contracts for construction of a 40 story residential development in Manhattan.

## HONORS

### Honors & Recognitions

- AIA Brooklyn 2016 Advancement of the Architectural Profession Award
- New York Law Journal, Trail Blazer
- City & State Magazines' 50 Over 50 List of New York Leaders
- Best Lawyers
- Chambers USA
- Super Lawyers

## NEWS & EVENTS

### News

Super Lawyers 2024 Recognizes 13 Zetlin & De Chiara Attorneys  
10.24.2024

The Best Lawyers in America 2025 Recognizes 15 Zetlin & De Chiara Attorneys  
08.15.2024

Zetlin & De Chiara LLP Recognized as a Leading Firm in Construction Law by The Legal 500 United States 2024  
06.24.2024

Chambers USA Ranks Zetlin & De Chiara LLP as a Leading Firm for Construction Law  
06.06.2024

Super Lawyers 2023 Recognizes 14 Zetlin & De Chiara Attorneys  
09.22.2023

The Best Lawyers in America 2024 Recognizes 16 Zetlin & De Chiara Attorneys  
08.17.2023

Chambers USA Again Ranks Zetlin & De Chiara LLP as a Leading Firm for Construction Law  
07.12.2023

Super Lawyers 2022 Recognizes Zetlin & De Chiara Attorneys for Their Expertise in Construction Law

Super Lawyers

Zetlin & De Chiara LLP Again Recognized in the Best Lawyers List  
08.18.2022

Zetlin & De Chiara Recognized as Leaders in Construction in 2022 Chambers USA Rankings  
Chambers USA, 06.01.2022

The First Department Levels the Field in RPAPL § 881 Proceedings  
New York Real Estate Journal, 04.18.2022

Zetlin & De Chiara LLP Ranked Tier 1 in 2022 Edition of U.S. News- Best Lawyers® Best Law Firms®  
11.04.2021

Zetlin & De Chiara Attorneys Widely Recognized in Super Lawyers 2021  
09.30.2021

Zetlin & De Chiara LLP Lawyers Highly Recognized by Best Lawyers®  
Best Lawyers®, 08.19.2021

Zetlin & De Chiara LLP Recognized as One of the Top Construction Law Firms by Chambers USA  
Chambers USA, 05.20.2021

Ray Mellon Selected to City & State Magazine's 50 Over 50 List of New York Leaders  
City & State Magazine, 01.26.2021

Super Lawyers Selects 10 Zetlin & De Chiara Attorneys for Its 2020 Ranking  
11.05.2020

Ray Mellon Honored as a 2020 Trailblazer by the **New York Law Journal**  
New York Law Journal, 10.01.2020

Zetlin & De Chiara Lawyers Named to 2021 Best Lawyers and to Ones to Watch Lists  
08.20.2020

Zetlin & De Chiara LLP Earns Top Recognition in Chambers USA for Being "Top Caliber in Matters Arising in Construction Law"  
06.04.2020

Eleven Zetlin & De Chiara LLP Attorneys Recognized by Super Lawyers 2019  
09.25.2019

Zetlin & De Chiara's Construction Law Expertise Recognized Again by Legal 500 US  
09.11.2019

Eight Zetlin & De Chiara LLP Attorneys Selected For *The Best Lawyers in America* 2020  
*The Best Lawyers in America* 2020, 08.15.2019

Zetlin & De Chiara Earns Top Recognition in Chambers USA

Raymond Mellon Honored by Queens AIA for Efforts in Establishing The Queens Foundation for Architecture

Zetlin & De Chiara LLP Ranked Tier 1 in 2019 Edition of U.S. News' "Best Law Firms"

Seven Zetlin & De Chiara LLP Attorneys Selected For *The Best Lawyers in America*, 2019

Zetlin & De Chiara LLP Earns Top Recognition in Chambers USA For The 12th Consecutive Year

Twelve Zetlin & De Chiara LLP Attorneys Receive Prestigious Thomson Reuters' Super Lawyers 2018 Ranking

Zetlin & De Chiara LLP Ranked Tier 1 in U.S. News' 2018 "Best Law Firms"

Eleven Zetlin & De Chiara LLP Attorneys Recognized by Super Lawyers for 2017

Zetlin & De Chiara Attorneys Selected For *The Best Lawyers in America* 2018

Zetlin & De Chiara LLP Earns Top Recognition by Chambers USA For The 11th Consecutive Year

Repeal of Federal Record-Keeping Rule Could Put Construction Workers at Greater Risk, Commercial Observer, March 2017

Zetlin & De Chiara LLP Recognized as Top Tier Construction Law Firm by U.S. News – Best Lawyers 2017

Eight Zetlin & De Chiara LLP Attorneys Named 2016 Super Lawyers

Seven Lawyers from Zetlin & De Chiara LLP Selected for Best Lawyers in America

Ray Mellon and Tim Hegarty quoted in Working with Exterior Contractors Making the Experience Work, The Cooperator, March 2016

"Ray Mellon Comments on Construction Industry Trends to Watch in 2016", Construction Dive,  
January 2016  
01.04.2016

Ray Mellon comments on construction industry trends to watch in 2016, Construction Dive, January  
2016

DOB Overwhelmed by Construction Demand  
Commercial Observer, 02.25.2015

Building New York Briefing Highlights Ray Mellon's NY Daily News Article on the DOB Bribery  
Scandal

Fingers pointed in DOB bribery scandal  
Real Estate Weekly, 02.2015

Department of Buildings' biggest problem may be bureaucratic delay, by Raymond Mellon, Daily  
News, February 2015

Department of Buildings biggest problem may be bureaucratic delay, Raymond T. Mellon, New York  
Daily News, February 2015

50 Arrested Following Building Inspection Investigation  
Commerical Observer, 02.10.2015

Commercial Observer features Ray Mellon's thoughts on the DOB Bribery Scandal

Ray Mellon Speaks on License Agreements Between Adjoining Property Owners at ASCE Program

Communication and Due Diligence are Keys to Success According to Experts at The Building Next  
Door: The Impact Of Construction On Adjacent Buildings

Zetlin & De Chiara Attorneys Recognized in Super Lawyers

Zetlin & De Chiara Partners Named Best in Construction Law

When Success Matters To Your Construction Project published in the Mann Report, February 2013

Zetlin & De Chiara Joins Key Experts in Conference on Urban Resilience

Zetlin & De Chiara LLP and Senior Partners Named Best in Construction Law  
12.31.2012



Zetlin & De Chiara Attorneys Named 2012 SuperLawyers  
12.30.2012

Be Careful How You Dig: Court Held Excavators Responsible for Damage to Neighboring Property  
06.30.2012

Zetlin & De Chiara Attorneys Named 2011 Super Lawyers  
Super Lawyers, 12.31.2011

Michael De Chiara, Michael Zetlin, Ray Mellon and Carol Patterson were named leading construction litigators  
02.08.2010

Michael De Chiara, Michael Zetlin, Ray Mellon and Carol Patterson were named leading construction litigators in the January/February 2010 issue of Super Lawyers  
Super Lawyers, 02.01.2010

An article written by Raymond T. Mellon titled "Finish Your Office Move: Notify the State Education Department" was published in the August 27 - June 2, 2008 issue of New York Real Estate Journal.

Four New York Partners, Michael S. Zetlin, Michael K. De Chiara, Raymond T. Mellon and Carol J. Patterson, were recognized in the September 23, 2007 issue

In the July 23, 2007 issue of the Engineering News Record, an article written by Raymond T. Mellon titled, "Are You Employing A Post 911 Standard of Care" appeared.

An article written by Raymond T. Mellon titled "The Construction Standard of Care After 911" was published in the November 2006 issue of Design-Build Dateline

St. Louis Daily Record/St. Louis Countian (St. Louis, MO), November 28, 2003

New York Law Journal August 14, 2002 Real Estate Update; Vol. 228; Pg. 5 Judicial Relief: Little-Used Law Helps Developers Held Hostage; By Raymond T. Mellon, Partner in the law firm of Zetlin & De Chiara LLP

New York Construction, May, 2002, CONSTRUCTION LAW; Vol. 49, No. 10; Pg. 62, "Judicial Relief for Developers Held Hostage By Neighboring Owners

1999

1995

1994

## Speaking Engagements

Zetlin & De Chiara's 30th Anniversary Celebration  
12.14.2022

Lessons Learned from 301 Mission and Other Large Urban Projects-Event Postponed

NYS AIA Presidents' Meeting on Department of Buildings' Regulations and Disciplinary Proceedings

Zoning Advisory Council & Brooklyn AIA: Understanding the NYC Department of Buildings

Understanding the NYC Department of Buildings  
2017

Legal Issues for Architects - 60th National Conference  
2016

"When Bad Things Happen to Good People: Defending Design Professionals in Disciplinary Proceedings," ABA Forum on Construction Law  
2015

Communication and Due Diligence are Keys to Success According to Experts at The Building Next Door: The Impact Of Construction On Adjacent Buildings  
04.14.2014

Join The Conversation At The Building Next Door: The Impact Of Your Construction Project On Adjacent Buildings  
04.09.2014

License Agreements Between Adjoining Property Owners at ASCE Program

Zetlin & De Chiara Joins Key Experts in Conference on Urban Resilience, March 2013  
03.2013

AIA Design-Build Webinar: How to Start an Architect-Led Design-Build Entity  
2009

Legal Issues in the Development Process  
2006

AOD National Conference - Safety Wins: Security from Design to Technology to Operations  
2005

AIA National Convention: Leadership and Building Security, Sustainability and Advocacy  
2005

Building Security Design and Post 9/11 Exposure  
2004

National Symposium on Healthcare Design  
2004

Society of American Registered Architects National Convention  
07.2003

AIA/NYC Convention - Building Security Design: Achieving Transparency in Civic Architecture  
2003

AIA/CSI Annual Meeting: Achieving Transparent Security  
2003

American Society of Landscape Architects, 2004

Global Design Alliance, 2004

## **Publications**

Proposed Amendments to RPAPL 881: Changes Without a Cause?  
*New York Law Journal*, 03.26.2024

Understanding and Planning for NYC Local Law No. 97 of 2019  
01.06.2021

Zetlin & De Chiara LLP Fall 2018 Update  
10.23.2018

Zetlin & De Chiara LLP Spring 2018 Update  
05.08.2018

Department of Buildings biggest problem may be bureaucratic delay  
*Daily News*, 02.2015

Construction Next Door: Three Easy Steps To Plan For Success  
*Mann Report* , 02.28.2013

Ray Mellon and James Rowland Discuss Lack of Good Samaritan Laws in New York

Be Careful How You Dig: Court Held Excavators Responsible for Damage to Neighboring Property  
*Zetlin & De Chiara LLP Newsbulletin*, 07.2012

Design Professional Good Samaritans Face Rough Road in New York  
*Zetlin & De Chiara LLP Newsbulletin*, 01.2012

Finish Your Office Move: Notify the State Education Department  
*New York Real Estate Journal* , 06.2008

Finish Your Office Move: Notify the State Education Department  
02.25.2008

Being Aware of Design Obligations  
*The Concrete Producer Magazine* , 02.2007

The Construction Standard of Care After 9/11  
01.2007

The Construction Standard of Care After 9/11  
*Design-Build Dateline*, 2006

Liability Exposure After September 11, 2001  
*Building Security: Handbook for Architectural Planning and Design* - McGraw-Hill , 2003

New York Construction Law  
*Aspen Publishers*, 2003

## AFFILIATIONS

### General Counsel / Board Membership

- American Institute of Architects, Brooklyn - General Counsel
- Architects Council of New York City, Inc. - General Counsel
- American Institute of Architects, Queens - General Counsel

- Society of American Registered Architects - General Counsel (National Chapter)

## Organizations

- American Institute of Architects, Brooklyn - General Counsel
- Architects Council of New York City, Inc. - General Counsel
- American Institute of Architects, Queens - General Counsel
- New York Building Congress - Member, Transportation & Infrastructure Committee
- Phi Beta Kappa
- Real Estate Board of New York
- Society of American Registered Architects - General Counsel (National and New York Chapters)