



Giovanni M. Ruscitti, Chairman and General Counsel  
Berg Hill Greenleaf Ruscitti LLP

#### General Bio

Giovanni M. Ruscitti is one of the founding members of BHGR, and currently serves as the firm's Chairman and General Counsel. Mr. Ruscitti is equally comfortable in the courtroom as in the boardroom, and regularly serves as lead transactional and litigation counsel. This unique and broad range of experience allows Mr. Ruscitti to provide BHGR's clients comprehensive, strategic, innovative and cost-effective counsel, and he often works as a strategic adviser to boards of directors and general counsel. His practice focuses primarily on construction law and complex commercial litigation/arbitration, and he represents owners, general contractors, subcontractors and sureties.

Mr. Ruscitti lives outside of Denver with his wife of 34 years, Aggie Blake-Ruscitti. He enjoys spending time with his family, Italian & French wines, travel, fly fishing, hiking, yoga, and playing basketball.

#### Construction Law

Mr. Ruscitti has almost 30 years of experience working on construction, mining, power and energy related matters. He has represented clients on both public and private projects for owners, developers, general contractors, subcontractors, suppliers, insurers and sureties, with a particular emphasis in complex EPC projects. To that end, Mr. Ruscitti has negotiated and drafted EPC and design-build contracts up to \$2.2 B in value, and litigated and arbitrated EPC and other

construction contract disputes with hundreds of millions of dollars in dispute. Giovanni has substantial experience as an advocate, arbitrator and mediator in every type of construction dispute, including defect, delay, indemnity, breach of contract, fraud, bid protest coverage and complex litigation.

Giovanni also advises clients on Federal construction contract issues, including requests for equitable adjustments, certified claims, defense of claims under the False Claims Act, compliance with the Federal Acquisition Regulations, and Miller Act.

Giovanni has worked as lead transactional and litigation counsel on industrial plants, office buildings, power plants, hydroelectric power, utility projects, processing plants, water storage, water and waste treatment plants, defense projects, hospitals, schools, highway construction, prisons, mining projects, oil & gas, pipeline, and solar projects. Finally, Giovanni has served as lead transactional counsel on large P3 projects, including drafting and negotiating complex concession and development agreements, EPC and design-build agreements, drop-down and lower-tier subcontract and framework agreements, and financing agreements.

#### Litigation

Mr. Ruscitti has litigated a number of cases to successful results, including Federal and State jury and bench trials, claims before the ASBCA and the Court of Federal Claims, and arbitrations before the American Arbitration Association, International Centre for Dispute Resolution, the International Chamber of Commerce, JAMS and Judicial Arbitrator Group, on a broad range of complex commercial, construction/surety, and civil cases, including litigation involving management and corporate control issues, mergers and acquisitions, environmental, CERCLA, RCRA, construction defects and delays, surety disputes, intellectual property, trade secrets, mining, contract disputes, derivative actions involving fiduciary duty claims, SEC, FTC, FCC, TCPA, ERISA and withdrawal liability, employment agreements, covenants not to compete, fraud, financial transactions and insurance coverage disputes. Mr. Ruscitti also has extensive experience in handling preliminary injunctions and other injunctive relief hearings. Mr. Ruscitti has handled matters in Arizona, Colorado, California, Delaware, Florida, Idaho, Illinois, Massachusetts, Minnesota, Montana, Nebraska, New Mexico, New York, North Dakota, Ohio, Texas, Utah, Washington and Wyoming, as well as Canada, Central America, South American and Europe.

#### Corporate Law

Mr. Ruscitti routinely advises our corporate clients and general counsel on topics such as organizing and planning business entities, mergers and acquisitions, structuring strategic alliances, structuring commercial and intellectual property transactions, and creating and protecting trade secrets and other intellectual property rights. Mr. Ruscitti also represents privately held companies in connection with private placements, financing alternatives, including secured and unsecured credit facilities and debt or equity offerings, and SEC issues. In addition, he has developed and implemented various exit strategies enabling clients to monetize their investments, including mergers and divestitures, and has implemented various corporate restructurings, reorganizations,

and recapitalizations.

#### Real Estate Law

In real estate, Mr. Ruscitti has represented real estate developers and owners on a wide variety of legal matters, including acquisitions, 1031 exchanges, structuring of transactions, construction, financing, leasing, zoning, land use, and due diligence issues. Mr. Ruscitti has served as lead transactional council on the development of the Dick's Sporting Goods Park soccer stadium, and on the purchase, sale and development of large real estate portfolios, including the largest commercial portfolio transaction in Boulder County in 2015.

#### ADR

Mr. Ruscitti also serves as a mediator and arbitrator for the American Arbitration Association on complex commercial, M&A, corporate, IP, energy, mining and construction disputes. He is a Fellow in the College of Commercial Arbitrators.