

MICHAEL S. MIDDLETON

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CONSTRUCTION AND LITIGATION

Michael Middleton is a shareholder and senior construction attorney in the Litigation Department of Trainor Fairbrook. His background as an attorney includes the representation of clients in the areas of construction, business and employment/wage law. Mr. Middleton has over two decades of experience in civil litigation and alternative dispute resolution, and has successfully participated in numerous jury trials, administrative hearings, binding arbitrations and mediations of construction employment and contract disputes.

Mr. Middleton's practice emphasizes all aspects of the construction industry, including construction defect actions, review and resolution of construction contract claims and all areas of construction-related litigation in state and federal courts throughout California.

Additionally, he has extensive experience in the areas of mechanic's liens and collection matters, delay claims, insurance disputes, Cal-OSHA violations and wage and hour disputes, State and Federal wage audits and a variety of other business matters faced by California contractors and businesses.

HONORS :

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- **Rated AV Preeminent** – Martindale-Hubbell
 - **Best of the Bar** – Sacramento Business Journal: 2016-2018
 - **Top Lawyer** – Sacramento Magazine: 2015-2018

CONTACT :

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REPRESENTATIVE MATTERS

- Favorably resolved construction defect litigation for a large plumbing subcontractor related to a \$100 million hotel/condominium development in South Lake Tahoe, California.
- Obtained a defense verdict at trial for a private school in a wrongful termination/harassment lawsuit brought by a former employee.
- Successfully resolved numerous Cal/OSHA complaints and citations on behalf of various general contractors and specialty contractors.
- Represented a large specialty contractor in a wage audit prosecution by the United States Department of Labor. The contractor was initially facing a ruling and penalties in excess of \$200,000. After numerous hearings, the final award was below \$14,000, with no penalties assessed.
- Currently defending a nationwide pipe manufacturer in a \$2 million lawsuit filed by a large public entity related to system failure due to alleged installation and owner usage issues.
- Obtained a binding arbitration award in excess of \$800,000 on behalf of the seller of an automotive business against the purchaser, after the purchaser failed to comply with the terms of the sale agreement. The initial demand to the purchaser was \$200,000.

MEMBERSHIPS

- **Member** – State Bar of California, Labor and Employment Law and Litigation Sections
- **Member** – American Bar Association
- **Member** – Sacramento County Bar Association, Construction Section (2018 - Chair)
- **Member** – Sacramento Regional Builders Exchange Legal Council
- **Judge Pro Tem** – El Dorado County
- **Member** – North State Building Industry Association
- **2018 Chair of the Sacramento County Bar Association** – Construction Section; Former Vice-Chair (2017) Secretary (2016) and Treasurer (2015)

EDUCATION

- **J.D.**, University of the Pacific, McGeorge School of Law
- **B.A.**, University of California, Davis