

## Kenneth “Kenny” T. Lautenschlager

Partner

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As a business litigator, I have seen all sides of trouble and risk, so I am proactive in helping clients avoid litigation whenever possible. I recommend changes in their contracts and arrangements with business partners, subcontractors and suppliers. And when state, federal or business court is the only path that makes sense, I analyze all the angles and risks and intuitively know how aggressive to be – or not be – to resolve matters as effectively as possible.

Kenny Lautenschlager is an experienced **business litigator** with extensive courtroom experience in all North Carolina venues – federal, state and business court. Disputes often arise between partners in business deals, between construction contractors, sub-contractors or suppliers on important projects, and among governmental entities and counties with companies who have contracts to perform services within a specific time frame. Kenny also represents creditors in bankruptcies. Recent cases have included representing the developer of a solar farm in an inter-company dispute, advising an industrial steel designer in a dispute with the owner, representing a subcontractor for a wood pellet distribution and shipping facility, and handling numerous issues for a regional home builder and tower crane company. Kenny is equally skilled at surveying the 30,000-foot picture and climbing into the details of warranties and contracts. Kenny is known for his deep knowledge and understanding of the procedural aspects of litigation and how to use litigation as a

### Practices

Creditors' Rights  
Construction  
Litigation

### Industries

Energy  
Financial Services  
Real Estate, Hospitality & Construction  
Sports & Entertainment

### Bar Admissions

North Carolina

### Court Admissions

U.S. Court of Appeals, Fourth Circuit  
U.S. District and Bankruptcy Courts for  
the Western, Middle, and Eastern  
Districts of North Carolina

### Education

University of North Carolina School of  
Law (JD, with Honors, 1996)  
Queens University of Charlotte (BA,  
*summa cum laude*, 1993)

### Associations

#### Professional

- **American Bar Association**
- **North Carolina Bar Association**
- **Mecklenburg County Bar**

business advantage. Because of the building boom in Charlotte, Kenny is anticipating more construction and other disputes on the horizon. Finding enough qualified subcontractors and suppliers to follow through with commitments in designated time frames is a challenge. He is ready to help clients manage the potential fallout of missed deadlines, liquidated damages and other consequences.

### **Representative Experience**

- Representation of national distributor in contract negotiations with wholesale buyers and various vendors.
- Representation of a large regional home builder in licensing and litigation matters.
- Representation of solar farm developer in litigation with purchaser and in zoning and conditional use permit matters.
- Representation of various contractors in contract negotiations for design-build construction contracts.
- Representation of design-build steel manufacturer in contract negotiations and litigation matters.
- Representation of creditors and financial institutions in commercial loan workouts, including note sales, acquisitions, borrower and guarantor litigation, forbearances, modifications and foreclosures.
- Representation of creditors and financial institutions in bankruptcy proceedings including protection of cash collateral, adequate protection payments, relief from stay orders, plan formulations and objections, plan confirmation and preference and fraudulent conveyance actions.
- Represents various corporate clients in commercial contract and litigation matters.

### **Publications**

- Co-contributor, "North Carolina Construction Law Desk Book" Third Edition (2003) - North Carolina Bar Association

- **Construction Financial Managers Association**

#### **Community**

- **Queens University of Charlotte**, Board of Visitors
- **South Charlotte Youth Baseball**, Coach

#### **Community**

About Our Firm  
Recognition

- Co-contributor and Presenter/Speaker, "North Carolina Construction" 1999-2003 - Carolinas AGC

## Honors

- **Super Lawyers®** North Carolina – Construction Litigation (2014-2018, 2021-2025)
- **Business North Carolina “Legal Elite”** – Bankruptcy (2015), Litigation (2012-2019, 2021, 2023-2025)
- **The Best Lawyers in America®** – Commercial Litigation (2013-2024), Bankruptcy and Creditor Debtor Rights (2024, 2025), Litigation-Construction (2024)
- The Order of Barristers, **University of North Carolina School of Law** (1996)
- Phi Delta Phi
- National Moot Court Team, **University of North Carolina School of Law**