

MICHAEL PALERMO, ATTORNEY

Asheville, North Carolina

Licensed in Illinois and North Carolina

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SEEKING: General counsel position where I can use my experience as an appeals judge in the N.C. unemployment office; working with multiple mid-sized businesses; teaching law school; and publishing articles on construction, constitutional law, and business topics.

CAREER HIGHLIGHTS

- Practiced as an employment, labor, and business attorney since 1992, including hearing and ruling on unemployment claims appeals for the N.C. Department of Employment Security; labor, employment and ERISA; commercial transactions; governmental regulation; and complex chemical product regulation and litigation.
- Coordinating counsel for a well-known chemical product company, supervising outside counsel nationwide in chemical injury litigation.
- Published over a dozen articles and book chapters on constitutional and business topics such as state construction and surety bond laws; DOT regulations; Federal preemption; Supreme Court case interpretation applied to practical litigation; and Federal labor laws.
- Created a unique series of business seminars that I and related professionals (commercial insurance, accounting) present to business leaders on risk management, business succession planning, and nonprofit fiduciary liability.

PROFESSIONAL WORK HISTORY

N.C. Dept. of Commerce

2021 to 2022

Administrative Law Judge

Judicial officer presiding over unemployment appeal hearings. Responsible for orderly conduct of formal hearings, ruling on motions and evidence, and taking testimony from witnesses. Issue written opinions granting or denying the appeal, with reasoning therein based on the NC unemployment statutes.

Palermo Law Firm

2006 to Present

Owner / Attorney

Commercial litigation and business law practice counseling mid-sized businesses and high net worth owners. Litigating complex commercial cases in federal and state courts.

- Construction, ERISA, prevailing wage, and employment litigation
- Business transactions; vendor, supplier contracts; employment contracts
- Business formation, governance (Bylaws, Operating Agreements), and succession

Riordan, Donnelly, Lipinski & McKee, Ltd.

2001 to 2006

Junior Partner

Litigating general commercial, construction, and surety bond cases. Defended chemical manufacturers in exposure injury cases throughout the U.S. involving multiple products, parties, and diverse injuries.

- Complex construction defect litigation and pay claims
- Public construction bid protests including injunctions, appeals
- Construction bond (payment and performance), fidelity / ERISA surety bond defense
- Chemical manufacturer liability / mass tort defense: design, container, labeling
- OSHA, DOT, FIFRA, FHSA, EPA and other regulatory matters

Illinois Department of Professional Regulation

1994 to 2001

Prosecuting Attorney

Prosecuted licensed professionals for violating licensing and regulatory statutes, including design professions: architects, engineers, and surveyors. Also included health care professions: doctors, dentists, psychologists. Prosecuted professionals for gross negligence in practice, insurance fraud, ethical violations, and other violations of licensing laws.

Arnold & Kadjan

1992 to 1994

Associate Attorney

Represented Chicago area labor unions and union sponsored multi-employer trust funds in ERISA litigation. Worker's compensation. General civil litigation, state and federal courts.

TEACHING

John Marshall Law School

1999 to 2001

Adjunct Faculty

Taught legal writing at a law school commended to be in the top 10 in the country for its legal writing program (U.S. News and World Report, 2020). Included advanced legal research and analysis, both online and traditional in-library methods. Taught fundamentals of writing persuasive trial and appellate briefs. Taught objective memorandum writing. Developed a semester program to teach advanced writing techniques.

EDUCATION

- John Marshall Law School, J.D. (*Rank 47 / 246; top 20%*)
- Bradley University, B.A. in English
- University of Miami, undergraduate music studies

MICHAEL PALERMO ARTICLES

(click article title to download)

ERISA, LABOR AND CONSTRUCTION

Palermo, M. "[A Guide To ERISA's Fiduciary Bonding Requirements.](#)" *For the Defense*, March 2008, pp. 8-10 (Defense Research Institute)

Palermo, M.; Goetz, S. "[Union Standing to Make a Claim on a Payment Bond.](#)" *For the Defense*, March 2007, pp. 44-47 (Defense Research Institute)

Palermo, M. (1995) "[The ERISA Benefit Plan's Lien on Illinois Tort Actions.](#)" Chapter 12, *Liens on Illinois Tort Actions* (Illinois Institute for Continuing Legal Education)

Palermo, M; Donnelly, P; Schwartz, J. (2003) "[Illinois Construction Bonds.](#)" Chapter 5, *Illinois Construction Law* (Aspen)

Palermo, M.; O'Donnell, J. "[Obtaining Federal Jurisdiction for Claims Under ERISA Fidelity Bonds.](#)" ABA Fidelity and Surety Law Committee Newsletter, August 2007

Palermo, M. "[Union Claims on Payment Bonds.](#)" Presentation materials for speech to the Chicagoland Surety Claims Association luncheon, January 9, 2006

CONSTITUTIONAL, CIVIL LITIGATION AND CHEMICAL REGULATION

Palermo, M. "[How 'Low' Can you Go? New Plaintiff Theories of Low Dose Exposure.](#)" *Toxic Torts Newsletter*, Spring, 2006, pp. 6-9 (Defense Research Institute)

Palermo, M. "[Trends in Acute Toxic Exposure Cases.](#)" *For the Defense*, July, 2005, pp. 33-38 (Defense Research Institute)

Palermo, M. "[Federal Preemption of Insecticide, Fungicide and Rodenticide Exposure Cases.](#)" *Toxic Torts Newsletter*, Summer 2004, pp. 6-11 (Defense Research Institute)

Palermo, M. "[Fraud or Misrepresentation: Avoiding FIFRA Preemption.](#)" *Toxic Torts Newsletter*, Summer, 2004, pp. 6-13 (Defense Research Institute)

Palermo, M. "[Beyond Bates: Are Label Based Pesticide Injury Claims Still Preempted?](#)" *Toxic Torts Newsletter*, Winter, 2005, pp. 5-12 (Defense Research Institute)

Palermo, M. "[Packaging of Hazardous Substance for Transportation: Making Sense of the Maze](#)" May 24, 2006 Defense Research Institute "*The Voice*" (email newsletter)

GENERAL BUSINESS MAGAZINE ARTICLES

Palermo, Michael. "[A Seat at the Table.](#)" *Capital at Play*, October, 2018, pp. 48-51.

Palermo, Michael. "[Corporation or LLC?](#)" *Capital at Play*, December, 2018, pp. 72-75.

Palermo, Michael. "[Business Succession Planning 101.](#)" *Capital At Play*, February, 2020, pp. 70-73.

Palermo, Michael. "[Business Succession Planning 102.](#)" *Capital At Play*, March, 2020, pp. 26-29.