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Robert C. James

Member

Professional Statement:

Robert C. James focuses his practice on civil litigation with an emphasis on professional liability, retail/premise law, labor law, motor vehicle law, and general litigation. He regularly represents clients before state and federal courts throughout the Tri-State area of Ohio, Pennsylvania, and West Virginia. He handles all phases of litigation, including pre-litigation work, trials, and appeals. His litigation experience includes trying cases in bench trials, jury trials, and alternative dispute forums.

Mr. James's professional liability experience includes representing physicians, architects, pharmacists, appraisers, and real estate professionals involved in civil lawsuits. Over his career, he has represented a number of regional and national retail chains including CVS Pharmacy, Rite-Aid, Staples, Dairy Mart, Carter Lumber, and Cross Roads convenient stores. He has also represented insureds of major automobile insurance companies and a number of national trucking firms. Recently, he has been on the forefront of defending predatory lending and fraudulent appraisal cases in Ohio and West Virginia.

Practice Areas:

- Professional Liability
- Construction Law
- Banking (Predatory Lending)
- Retail-Premises Liability
- Labor/Employment Law
- Product Liability
- General Litigation

Education:

- J.D., Duquesne University School of Law (1997)
- B.A., Mount Union College (1994)

Court Admissions:

- Ohio Supreme Court (and all State Courts)
- Pennsylvania Supreme Court (and all the Commonwealth Courts)
- West Virginia Supreme Court of Appeals (and all the State Courts)
- United States District Court for the Northern District of West Virginia
- United States District Court for the Western District of Pennsylvania
- United States District Court for the Middle District of Pennsylvania

Professional Involvement:

- Member of HospitalityLawyer.com
- West Virginia Bar Association
- Ohio County Bar Association
- Belmont County Bar Association
- Blackstone Club Wheeling, WV

Representative Legal Work:

- Obtained dismissal in a West Virginia case of an appraiser on the basis of a jurisdictional/venue challenge
- Assisted obtaining a partial summary judgment in a labor/law and defamation case in West Virginia
- Obtained defense verdict co-chairing a medical malpractice case defending a gastroenterologist
- Obtained dismissals of two medical malpractice cases against general surgeon
- Obtained award in favor of a restaurant in a food poisoning case
- Obtained award in favor of an architect in a commercial construction litigation claim
- Obtained defense jury verdict as lead counsel for Carter Lumber in a premise liability case
- Obtained summary judgment for a lawyer in a legal malpractice case
- Obtained summary judgment for a convenient store in a food poisoning case
- Obtained dismissal of a premise liability case against a convenient store/gas station chain
- Obtained favorable awards in UM/UIM arbitrations
- Favorably mediated two nursing home claims
- Represented Wendy's in case with a \$2 million demand
- Represented real estate agents in radon litigation
- Obtained favorable bench trial award in a motor vehicle case
- Obtained favorable verdicts and awards in motor vehicle accident cases

Teaching & Lecturing:

- *Special Issues in Loss Prevention*, 6th Annual Hospitality Law Conference (February 2008)

Writings & Publications:

- *Does a Release Still Protect Against a Dragonetti Action*, Defense Digest, Vol. 8, No. 3 (2992)

Community Involvement:

- Boy Scouts of America, Ohio River Valley Counsel (Wheeling, WV); Executive Board Member; VP - Administration; Executive Committee
- Wheeling Rotary Club – Secretary 2008-2009; VP 2009-present

Reported Cases :

- *Mitchell v. ALDI Inc.*, 2002 WL 31899888, (Pa.Com.Pl.Jul 22, 2002)
- *Macek v. Jones*, 222 W.Va. 702, 671 S.E.2d 707 (2008)