

Ryan James

Seasoned litigator representing clients in complex litigation matters at both the trial and appellate levels.

Ryan is a shareholder in the Litigation Group and focuses his practice on commercial, real estate, unfair competition, construction, and oil and gas litigation. He represents clients in state and federal courts, arbitration and mediation, and before state and federal administrative agencies.

Prior to private practice, Ryan served a judicial clerkship to the Honorable David L. Gilmore, President Judge, Washington County Court of Common Pleas, Washington, Pennsylvania.

Representative Experience

- After a two-week trial before the Pennsylvania Board of Claims, obtained a \$6 million-dollar judgment in favor of a heavy civil construction contractor in connection with differing site condition claims related to a highway design-build reconstruction and expansion project;
- Acted as claims counsel for a global EPC contractor in connection with a 683-MW natural gas-fired combined cycle power plant and a \$200 million pipe mill construction project;
- After arguing a motion for special injunction, and presenting to a local city council, secured a cease and desist order abating the noxious emissions produced by a business operating in violation of the nuisance provisions set forth in the governing local ordinance;
- Struck a default judgment that had been on record for almost twenty-four years and then obtained a dismissal of the underlying quiet title action because no valid adverse possession claim was stated, which decisions were affirmed on appeal in the first published decision by a Pennsylvania appellate court on the need for production and removal in order to adversely possess subsurface oil and gas interests;
- Successfully defended an oil and gas production company in litigation filed to terminate a dual purpose (production and storage) oil and gas lease;
- Obtained a \$1.8 million settlement for surface landowners in litigation involving claims that the release of hydraulic fracturing fluids caused soil and groundwater contamination;
- Succeeded in terminating oil and gas leases on behalf lessors/landowners based upon well non-production and the lessee/oil and gas company's failure to pay rental fees;
- Obtained an arbitration award on delay and extra cost claims brought by a WV County development authority against a civil engineering firm;
- Favorably settled claims against a plastic processing equipment supplier in an action involving alleged breaches of an exclusive sales representative agreement for the territory of Canada;
- Following a hearing, obtained permanent injunctive relief on behalf of a product development company preventing the adversary's further breaches of a release and confidentiality agreement;
- Obtained summary judgment on behalf of a securities brokerage dismissing a petition to vacate and confirming an underlying arbitration award which denied plaintiff's claims under the Securities and Exchange Act of 1934;
- Represented a global engineering and construction company in international arbitration proceedings related to power generation plant construction, which involved claims in excess of \$190 million;
- Negotiated a \$1 million settlement for a designer and manufacturer of barge haul systems in connection with breach of contract and trade secret claims it asserted against a general contractor/crane designer, and related to material handling systems constructed at five United States power plant project sites;



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- Obtained judgment on the pleadings for a national bank association in an action involving breaches of rollover reserve fund provisions contained in a \$100 million office building loan agreement;
- Obtained summary judgment in favor of a major disability insurer in a bad faith/breach of insurance contract action by establishing that the plaintiff had misrepresented his condition to the insurance company and that the insurer did not act in bad faith in denying the plaintiff's claim of total disability;
- Represented a pharmaceutical manufacturer in federal MDL proceedings involving claims that the practice of reporting average wholesale prices used for Medicare and Medicaid reimbursement violated federal antitrust and RICO statutes and state unfair competition laws;
- Defended a pharmaceutical company against claims of price fixing, monopolization and anticompetitive exclusive licensing arrangements in violation of state antitrust and consumer protection laws.
- Obtain a defense verdict for a combustion burner manufacturer after a two-week jury trial in the Superior Court for the County of Los Angeles, California in a case involving contract, negligence and product liability claims;
- After a non-jury trial, enjoined former employees of a steel company subsidiary from violating covenants not-to-compete and unlawful trade secret disclosures;
- Obtained summary judgment on behalf of a chemical manufacturer against tort claims arising from alleged benzene exposure;
- Favorably settled UNCITRAL arbitration proceedings for a Norwegian/Mexican joint venture subcontractor in connection with a \$200 million steel mill project in Venezuela and claims asserted against the client in excess of \$62 million;

Practice Areas

- Commercial Litigation
- Energy
- Construction
- Arbitration, Mediation and Alternative Dispute Resolution
- Insurance Disputes

Professional + Community Affiliations

Allegheny County Bar Association

Pennsylvania Bar Association

The Outdoor Classroom, Board of Directors (former)

The Brew House Association, Board of Directors (former)

Greater Pittsburgh Arts Council, Pro Bono

Education

- Pennsylvania State University, Dickinson School of Law (JD)

Associate editor, *The Dickinson Journal of International Law*

- Union College (BA)

Bar Admissions

- Pennsylvania

Court Admissions

- U.S. Court of Appeals for the Third Circuit
- U.S. District Court for the District of North Dakota
- U.S. District Court for the Western District of Pennsylvania

