



Jim Domagalski

Partner

Buffalo

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Education

- Syracuse University College of Law, JD
- University of Notre Dame, BA

Practices & Industries

- Commercial Litigation & Complex Trials
- Construction & Surety
- Labor & Employment
- Higher Education
- Canada-US Cross-Border

Admitted to Practice

- New York
- District of Columbia

Court Admissions

- US District Court for the Western District of New York
- US Court of Appeals for the Second Circuit
- US Bankruptcy Court

Biography

Jim is an experienced trial lawyer in both federal and state courts and before administrative agencies. He is also Barclay Damon's Construction & Surety Practice Area co-chair. Jim primarily concentrates his practice on large construction disputes, complex commercial and municipal litigation, employer defense, and counseling on labor, employment, and discrimination matters.

A longtime community leader in Western New York, Jim has served in numerous civic and charitable leadership positions.

Bar Associations

- Bar Association of Erie County
- New York State Bar Association
- District of Columbia Bar Association

Selected Memberships & Affiliations

- Leadership Buffalo, Member
- Erie County Republican Committee, Former Chair
- Syracuse University College of Law, Board of Advisors

Representative Experience

Construction

- Represents public and private owners and contractors in construction disputes involving large projects, including sewage treatment plants, historic renovations, commercial buildings, and airport and highway projects.

- Represents universities and other higher education institutions in construction contract, project, and litigation matters.
- Represented a specialty contractor in a construction dispute involving a domed roof at the Montreal Olympic Stadium.
- Defended a contractor regarding a construction-defect and mold claim brought by an owner regarding a university-housing construction project.
- Represented an engineering firm regarding a construction-cost-overrun dispute involving a major redesign and construction of a steel-blast furnace.

Labor & Employment

- Represents public and private entities in labor contract negotiations.
- Counsels regional retail enterprises, manufacturers, and businesses on employment-law issues and defends companies in court and before administrative agencies.
- Counsels and defends governmental entities and public authorities on labor and employment law issues in court and before administrative agencies.

Commercial & Municipal Litigation

- Defends municipalities regarding claims brought against government and law enforcement.
- Represented the federal government in a major lease dispute arising from a federal statute enacted relating to the savings-and-loan crisis.
- Defended municipalities and law enforcement in class-action lawsuits involving search-and-seizure claims.
- Represents businesses, including pharmaceutical companies, manufacturers, hospitality enterprises, and private-equity investment firms in contract disputes and commercial litigation.

Prior Experience

- Hiscock & Barclay, LLP, Partner

Selected Community Activities

- Buffalo Bills Quarterback Club, Former President
- Buffalo Niagara Partnership, Former Board Member
- Leukemia and Lymphoma Society of WNY, Former Board of Trustees President
- Notre Dame Alumni Club of Western New York, Former President
- Roswell Park Cancer Institute Alliance, Former Board Member

Selected Honors

- *The Best Lawyers in America*®: Buffalo "Lawyer of the Year": Construction Law, 2024 and 2026
- *The Best Lawyers in America*®: Commercial Litigation, 2021–2026; Construction Law, 2022–2026; Litigation – Labor & Employment, 2023–2026
- Selected to *Super Lawyers* Upstate New York: Business Litigation, 2010–2025
- *Buffalo Business First*, Legal Elite of Western New York, 2014–2018, 2020
- ECRC Jack Kemp Leadership Award, 2014
- *Am-Pol Eagle*, Citizen of the Year for Law, 2004

Selected Speaking Engagements

- Western Chapter of the New York State Water Environment Association's 35th Annual Greater Buffalo Environmental Conference, "The Marriage of Engineering and Law on Public Construction Projects: Getting It Right"
- Sterling Educational Services, "New York Employment Law Update"
- Lorman Education Services, "Real Estate Development From Beginning to End in New York"
- WNY Business Forum, "Legal Insights Into Employee Management"
- Lorman Education Services, "Construction Law Claims, Liens, Trust Funds, Performance/Payment Bonds, and Information Disclosure"

Selected Media

- *Buffalo Law Journal*, "President George H.W. Bush Remembered Fondly in Buffalo"

Selected Alerts & Blog Posts

- NYS Governor Cuomo Signs "Substantial Completion" Bill
- NYS Construction Safety, Health Practices During COVID-19 and Beyond
- Mechanics' Liens on IDA Projects: Architect's Lien Dismissed for Failing to Identify "Beneficial Interest"
- Construction Project Finance and COVID-19: How Owners, Contractors, and Other Industry Professionals Can Protect Their Rights, Avoid Disaster
- COVID-19: Further Guidance Issued on NYS Construction Industry Workforce Reduction Requirements