



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

## 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.

## Bar Associations

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

## Selected Memberships & Affiliations

- Buffalo Niagara Partnership, Board Member
- Leadership Buffalo, Member
- Erie County Republican Committee, Former Chair

## Representative Experience

- Represents businesses, including pharmaceutical companies, manufacturers, hospitality enterprises, and private-equity investment firms in contract disputes and commercial litigation.
- Defends municipalities regarding claims brought against government and law enforcement.

- Counsels a large regional retail enterprise on employment-law issues and defends the company in court and before administrative agencies.
- 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.
- Represents a manufacturer regarding employment law and safety issues at two large manufacturing facilities.
- Represented the federal government in a major lease dispute arising from a federal statute enacted relating to the savings-and-loan crisis.
- 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.
- Defended municipalities and law enforcement in class-action lawsuits involving search-and-seizure claims.

## Prior Experience

- Hiscock & Barclay, LLP, Partner

## Selected Community Activities

- Syracuse University Law Alumni Association, Board Member
- Buffalo Bills Quarterback Club, Former President
- Notre Dame Alumni Club of Western New York, Former President
- Leukemia and Lymphoma Society of WNY, Former Board of Trustees 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