Tom Cronmiller

Partner

Rochester
P: 585.295.4424
tcronmiller@barclaydamon.com

Education

- University of New Hampshire School of Law, JD
- State University of New York at Geneseo, *Magna Cum Laude*, BA

Practices & Industries

- Torts & Products Liability Defense
- Professional Liability
- Commercial Litigation & Complex Trials

Admitted to Practice

- New York
- New Hampshire

Court Admissions

- US Court of Appeals for the Second Circuit
- US District Court for the District of New Hampshire
- US District Court for the Northern District of New York
- US District Court for the Southern District of New York
- US District Court for the Western District of New York

Biography

Tom is Barclay Damon's Torts & Insurance Practice Group leader, overseeing more than 70 professionals throughout the firm. An experienced trial lawyer, Tom primarily focuses his practice on products liability, complex personal-injury, commercial litigation, and professional-liability litigation matters, including medical, legal, and accounting malpractice and directors' and officers' liability. He has tried numerous cases to verdict in both federal and state courts, including appellate practice, and has represented clients before the US Securities and Exchange Commission.

Tom's representative clients include multinational, publicly traded manufacturing companies, large underwriters of commercial and specialty lines of insurance, and privately held and public companies. Tom defends products liability and personal-injury claims on behalf of manufacturers and retailers on a national and regional basis. Tom also provides counsel to small, mid-sized, and large privately held and publicly traded companies, including accounting firms; energy-supply (including renewable energy) companies; aggregate mining companies; food distributors, wholesalers, and processors; trucking and transportation companies; manufacturers; information technology companies; and real estate companies.

Tom is a certified federal court mediator for the US District Court for the Western District Court of New York, a member of the Local Rules Committee for the US District Court for the Western District of New York, and a certified continuing education provider for Florida and Texas. Tom has written and lectured on a number of topics, including professional liability, risk management, trial practice, and ethics.

Bar Associations

- Federal Bar Association, Western District of New York Chapter
- Monroe County Bar Association
- Monroe County Bar Association Professional Performance Committee
- New Hampshire Bar Association
- New York State Bar Association, Torts, Insurance, and Compensation Law Section

Selected Memberships & Affiliations

- US District Court for the Western District of New York, Local Rules Committee
- Council Litigation Management (CLM)
- Defense Research Institute, State Liaison Trial Tactics and Techniques
- Association of Defense Trial Attorneys, Primary Member
- Monroe County Bar Association, Professional Performance Committee

Representative Experience

- Represents a large manufacturer of hoists and material-handling equipment on products-liability claims throughout the United States.
- Represents a publicly traded company that supplies LP gas on claims throughout the United States.
- Represents renewable energy companies on claims involving wind farm facilities and wind turbine litigation.
- Represents directors, officers, and professionals in lawsuits stemming from alleged securities-law violations as well as regulatory investigations and prosecutions by the US Securities and Exchange Commission and the Public Corporation Accounting Oversight Board.
- Represented multiple publicly traded companies on breach-of-contract claims and other commercial litigation matters.
- Represents a multinational cement-manufacturing company on products liability and other personal injury claims.
- Successfully defended multiple products liability claims against global-diversified industrial companies and retailers.
- Defended and tried professional-liability cases to verdict, including those against accountants and health care providers.

Prior Experience

- Hiscock & Barclay, LLP, Partner

Selected Community Activities

- Commodity Resource Corporation, Former Board of Directors Member
- Lakeside Memorial Hospital Board of Directors, Former Foundation Member, Treasurer, and Public Relations Committee Chair
- Boys & Girls Club of Rochester, Former Golf Committee Member

Selected Honors

- *The Best Lawyers in America*®: Personal Injury Litigation – Defendants, 2013–2027
- *The Daily Record* and *Rochester Business Journal*, Litigation Power List, 2026
- Selected to *Super Lawyers* Upstate New York: Personal Injury Products: Defense, 2007, 2009–2025

Selected Speaking Engagements

- URMIA Boston Conference, “University Concussion Injury Litigation and Improving Your Prevention Protocols”
- Starr Insurance Companies, “Rules of Professional Conduct, Recent Development, and Decisions”
- Monroe County Bar Association, “Attorney Malpractice and Insurance" CLE
- First Niagara Bank, AIG, and Zurich Insurance, “Litigation Misconduct and Professional Ethics” CLE
- CNA Pro, “Claims by Successors of Failed Entities/Fundamentals of Real Estate Law" CLE

Selected Media

- *CNA Pro*, “Attorney Malpractice Issue: Estate Planning”
- *New York State Bar Association Journal*, “The Conundrum of Preserving In-House Attorney-Client Privilege”
- *USLAW Magazine*, “Attorney-Client Privilege and Communications With Third Parties”

Selected Alerts & Blog Posts

- New York Appellate Divisions Split on Whether an Assisted Living Facility May Operate as a De Facto Residential Health Care Facility
- The Second Department Addresses Whether Cause of Action Sounded in Malpractice or Negligence
- Fourth Department Distinguishes Medical Malpractice From Ordinary Negligence in Nursing Home Case