



# Jim Domagalski

*Partner*

*Buffalo*

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## Education

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

## Practices & Industries

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

## 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.

In addition to his own practice, Jim serves as the firm's co-marketing partner.

## 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*®: Commercial Litigation, 2021–2025; Construction Law, 2022–2025; Litigation – Labor & Employment, 2023–2025
- Selected to *Super Lawyers* Upstate New York: Business Litigation, 2010–2024
- *The Best Lawyers in America*®: Buffalo "Lawyer of the Year": Construction Law, 2024
- *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