

# McElroy Deutsch

## James A. Budinetz



### Partner

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### Overview

#### Curriculum Vitae

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**JAMES A. BUDINETZ** is the Managing Partner for the Firm's New England offices, and is based in Connecticut. He is a trial attorney who has served as Chair of the Connecticut Bar Association Litigation Section. He is a James W. Cooper Fellow of the Connecticut Bar Foundation, which is by invitation only. He graduated summa cum laude from American University Law School, and received a degree from Georgetown University with a concentration in finance.

Mr. Budinetz practices in a variety of complex litigation areas including business torts, bet-the-company commercial disputes, personal injury defense, insurance coverage disputes, products liability, bad faith, and unfair trade practices. He also has tried cases involving disputes between owners and members of closely-held businesses. In addition to handling and trying cases in Connecticut, Jim has conducted trials, arbitrations or injunction hearings in California, Massachusetts, Texas, and Louisiana.

#### Awards

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- Listed in Super Lawyers® (2011-2023), a Thomson Reuters business, in the areas of Business Litigation and General Litigation and he was listed as a Top 50 Lawyers in Connecticut for 2013 and 2014, and as a Top 100 Lawyer for New England in 2014. A description of the standard or methodology on which the accolade is based can be found [HERE](#). (No aspect of the advertisement has been approved by the Supreme Court).

- Listed in Best Lawyers® (2015-2024) a Woodward/White, Inc. business and partners with U.S. News & World Report, in the area of Commercial Litigation. A description of the standard or methodology on which the accolade is based can be found [HERE](#). (No aspect of the advertisement has been approved by the Supreme Court).

## Cases

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*Results may vary depending on your particular facts and legal circumstances.*

- Obtained dismissal on summary judgment of all claims asserted against international oil company and property owner in wrongful death case.
- Obtained dismissal on summary judgment of all claims asserted against commercial property owner in quadriplegia case.
- Used suit limitation provision to obtain dismissal of federal court action brought under first-party property policy.
- Litigation through trial of premises liability claims brought against international retailer. Cases included slip and fall, trip and fall, negligent display, false imprisonment, and falling merchandise.
- Successful representation of minority partner and property owner in nine-day arbitration arising out of construction and remediation of power plant. Obtained seven-figure award.
- Successfully prosecuted claims against internationally known hotel management company on behalf of owners of prominent hotels in New Orleans and Dallas seeking to terminate long-time management agreement and evict management based on “change of control” clause in agreement. Prevailed in obtaining possession of hotels following injunction hearings.
- Represented the investors and managers of a hotel resort and casino on an Indian reservation in California. The Indian Tribe terminated the lucrative management and development agreement with the clients shortly after the resort was opened. Following a six-week arbitration, the Arbitration Tribunal entered an eight-figure award in favor of our clients.
- Represented well-known former president of real estate development company in dispute with company over handling of \$40 plus million dollar residential development in Greenwich, Connecticut.
- Defense of securities firm in dispute with major internet service provider over alleged online advertising contract involving damages in excess of \$100 million. After successfully obtaining court order permitting access to damaging documents relating to alleged securities fraud, plaintiff withdrew case to avoid production and took nothing.
- Enforced terms of online customer agreement on behalf of major securities trading firm against novel claims by securities traders alleging that the terms of the 1998 online agreement were not sufficiently disclosed in light of the use of hyperlinks and therefore were not enforceable. Obtained dismissal of case.
- Defended action on behalf of U.S. Air Force Base Redevelopment Authority in federal court in Washington, D.C. involving claims that plaintiff was entitled to millions of dollars of land from decommissioned base in Texas. All claims dismissed.
- Represented members and managers of closely-held limited liability companies in disputes with co-members and co-managers and in dissolution actions.
- Represented cell tower purchaser against claims brought by management company alleging tortious interference with wireless communication leases and unfair trade practice claims. Obtained favorable

settlement during trial.

- Represented group of “turn-around” executives in multi-million dollar dispute with the then-largest privately held company in the U.S. over complex calculation of success bonus following repositioning and sale of troubled subsidiary.
- Represented builder/developer of multiple Indian casinos in New York following termination of contract by Tribe.

## **Industries**

Insurance

## **Practices**

Litigation

Personal Injury Defense

Product Liability

## **Education**

American U. - Washington College of Law (J.D. summa cum laude 1995)

Georgetown University (B.S. 1992)

## **Admissions**

District of Columbia

State of Connecticut

## **Memberships**

Fellow, James W. Cooper Fellows Program, Connecticut Bar Foundation

Connecticut Bar Association

Connecticut Bar Association, the Litigation Section, Immediate Past Chair

Fellow, James W. Cooper Fellows Program, Connecticut Bar Foundation

Hartford County Bar Association