



James A. King

Jim is a partner in the firm's Litigation Department where his practice focuses on complex business and corporate litigation involving commercial disputes, securities claims, class actions, antitrust and regulatory enforcement actions.

He has represented companies, boards of directors, and special committees in investigations concerning regulatory compliance, securities, shareholder derivative, FCPA and whistleblower matters.

He has extensive experience defending companies and public entities in toxic tort cases, environmental enforcement actions, and citizen suits. Jim also leads the firm's Government Contracts practice. His experience in this area is both as counselor and a litigator. He has broad-based experience assisting contractors and subcontractors in a wide range of federal, state and local procurement matters, including contract formation issues and strategies, bid protests, contract performance and interpretation disputes, labor standards, patent and technical data protection, post-performance audits, internal investigations and False Claim Act allegations.

Jim is listed in *The Best Lawyers in America*[®] in areas of Commercial Litigation and Corporate Law and is recognized as an *Ohio Super Lawyer*[®]. He has an AV-rating from Martindale-Hubbell[®].

Before joining the firm, Jim served in the Pentagon as an assistant to the General Counsel in the Office of the Secretary of the Army. From 1992 to 1994, he was an associate with a large Washington, D.C. law firm.

Partner

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EDUCATION

The Ohio State University Michael E. Moritz College of Law, J.D., *with honors*, 1988

University of Michigan, B.A., *with distinction*, 1985

SERVICES

Litigation

- Commercial litigation
- Professional liability
- Securities litigation
- Class actions, mass torts and MDLs

Corporate & Internal Investigations

Government & Regulatory Affairs

- Government contracts
- Public entity representation
- Regulatory drafting and advocacy

Environmental

Securities

- Securities litigation
- SEC investigation and enforcement

Representative Engagements

Litigation

- Lead trial counsel on behalf of one of nation's largest egg producers in class action jury trial alleging a conspiracy to raise egg prices in violation of Section 1 of the Sherman Act. Obtained complete defense verdict. In re: *Processed Egg Products Antitrust Litigation*, Case No. 2:08-md-02002, U.S. District Court for the Eastern District of Pennsylvania
- Counsel for public officials in defending against civil rights claims. *Daily Servs., LLC v. Valentino*, 751 F.3d 893 (6th Cir. 2014).
- Lead attorney for defendants in patent law malpractice action arising from prosecution of domestic and foreign patent applications. *Davis v. Brouse McDowell, L.P.A.*, 596 F.3d 1355 (Fed. Cir. 2010)
- Counsel for utility company in defending environmental enforcement action brought by the USEPA. *United States v. Cinergy*, 623 F.3d 966 (7th Cir.2010)
- Counsel to a publicly traded company in a shareholder derivative action. *Sandesara v., PECO II, Inc.*, 8th Dist. App. No. 96532, 2011-Ohio-5927.
- Counsel to publicly traded companies in defending securities fraud and class action claims. In re: *Huntington Bancshares Sec. Litig.*, 674 F. Supp. 2d 951(S.D. Ohio 2009); *Gruhn v. Tween Brands, Inc.*, 2:07-cv-852 et al., 2009 WL1542795 (S.D. Ohio June 3, 2009).
- Counsel for special committee of a board of a publicly-held utility investigating shareholder claims against the company's directors and officers.

Government Contracts

- Conducted internal investigation and successful resolution of contract fraud claims against a NASA prime contractor.
- Conducted internal investigation into contract fraud claims against a military prime contractor.
- Represented major Department of Energy cleanup contractor in multiple areas of federal procurement law.
- Advise government prime and subcontractors on intellectual property and cost accounting matters.
- Successfully defended prime contractor against multiple claims by subcontractors.

Bar Admissions

Ohio

District of Columbia

U.S. Court of Appeals for the Federal Circuit

U.S. Court of Appeals for the Sixth Circuit

U.S. District Court for the Northern District of Ohio

U.S. District Court for the Southern District of Ohio

Supreme Court of the United States

SERVICES (CONTINUED)

Health Care

International Business & Trade

Business Competition, Advice & Litigation

- Anti-raiding
- Antitrust advice and litigation

PROFESSIONAL ASSOCIATIONS

- American Bar Association, Section of Litigation, *Amicus Briefs Committee*, Co-Chair
- Ohio State Bar Association
- Columbus Bar Association
- Defense Research Institute
- International Association of Defense Counsel, *Trial Techniques and Tactics Committee*, Chair
- American Bar Foundation, Fellow



Presentations

- “The New Landscape of Internal Investigations,” Central Ohio Association of Corporate Counsel, Feb. 26, 2018
- “Internal Investigations: Why? When? Who? How? - The Key Issues,” Porter Wright Annual Ethics & Trends in Litigation Seminar, Dec. 9, 2015
- “UH-OH:” Special Problems in Conducting Internal Corporate Investigations,” Porter Wright Annual Ethics & Trends in Litigation Seminar, Nov. 28, 2012
- “Lessons Learned from *Davis v. Brouse McDowell*,” Columbus Intellectual Property Law Association, Sept. 8, 2011
- “What to Do (and Not to Do) During the 90 Days After a Class Action is Filed,” Ohio Class Actions Summit, Oct. 28, 2010
- “The Impact of the Financial Meltdown on Class Actions,” Ohio Class Actions Summit, May 4, 2009
- “Procurement Reform in the State of Ohio,” Oct. 6, 2008
- “Recent Developments in Securities and Subprime Class Actions,” Ohio Employer Class Actions Summit, June 2008

Publications

- “*Daubert v. Frye*, admissibility of expert testimony – Fifty state survey,” American Bar Association Trial Evidence Committee, 2016
- “Say goodbye to the ‘Ancient Documents’ rule,” American Bar Association Trial Evidence Committee Winter 2016 Newsletter, American Bar Association Section of Litigation, Feb. 17, 2016
- “Understanding and supporting the government contract client” chapter, *Government Contracts Law Client Strategies*, Aspatore Books, 2008

Honors | Awards

- *The Best Lawyers in America*[®], Commercial Litigation, Corporate Law
- *Ohio Super Lawyers*[®], Business Litigation
- Order of the Coif
- Phi Beta Kappa

Community

- Stanford Law School, International Association of Defense Counsel Trial Academy, Faculty, 2011
- U.S. District Court for the Southern District of Ohio, Volunteer Mediator