

James T. Boggs, Attorney

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PROFESSIONAL SUMMARY

Strategic Advice and Counsel ▪ First Chair Advocacy ▪ Risk Avoidance ▪ Litigation Management ▪ Insurance Relationship Management ▪ Slashing Legal Spending ▪ Compliance and Controls ▪ Workforce Development

Business-savvy, entrepreneurial legal counselor and pragmatic problem solver with a proven track record of success in trial advocacy, transactional work and in building exceptionally productive client relationships. A trusted advisor in the boardroom. A dynamic performer in the courtroom and at the negotiating table. Highly-effective cross-functional communicator who collaborates with Executive Leadership with 'earthquake persuasiveness' to maximize successful outcomes and to **reduce or eliminate multi-million dollar exposures to legal risk**, thereby enhancing profitability. Dramatically reduces reliance on external legal services. Exceptional negotiation, presentation and relationship management skills. Assures optimal performance in the following key result areas:

- Business Development and Strategic Transformation
- Liaison Between C-Suite and Outside Counsel
- Legal, Regulatory and Ethical Compliance, HR, SEC
- Complex Litigation, Major Claims, General Liability
- Establishing Baselines and Tracking Metrics
- Employee Engagement; Diversity, Equity and Inclusion
- Formulating, Implementing and Enforcing Strategy
- Performance and Change Management, Special Projects
- Workforce Development; Internal/External Communication
- Unrivaled Internal/External Customer Service

CAREER EXPERIENCE

Miller Law Offices, PLLC, Fairmont, WV

2015-2020

SENIOR ATTORNEY at full service law firm representing corporations, small businesses, families, and individuals.

Litigation Counsel and Expert Relationship Manager; Addressed and resolved competing priorities under extreme deadline pressure. Developed and nurtured highly-successful strategic alliances; Fine-tuned ability to "see around corners" to achieve remarkable results.

- Leveraged prior public and private sector experience to develop, implement, administer and oversee systems, structures and processes to assure successful outcomes; Crafted and customized strategies and solutions to complex and evolving legal issues.
- Proactively administered and managed a diverse docket of highly sensitive and confidential legal matters, assuring timely delivery of exceptional monetary results; Unexpectedly developed an unofficial 'fan club' of effusive and highly-satisfied former clients.
- Deployed business development skills honed during prior solo private practice, government, and corporate counsel roles to greatly enhance the rapid growth and reputation of this already highly-regarded law firm. Enhanced the firm's "diversity" presence.

Luttner Financial Group, LTD, Pittsburgh, PA

2007-2015

ATTORNEY AND FINRA REGISTERED FINANCIAL ADVISOR at Regional insurance and financial services firm with offices in four states.

Produced and customized bullet-proof legal and financial protection strategies and solutions. Seven-year client retention rate: 100%.

Allegheny Energy, Inc. (AYE)

1990-2007

(Monongahela Power Company, West Penn Power, The Potomac Edison Company, and Allegheny Energy Supply Company LLC) Public electric and gas utility with customers in PA, WV, OH, MD, and VA; Subsequently taken over by FirstEnergy.

SENIOR ATTORNEY AND MANAGER, MAJOR CLAIMS (2003-2007)

- **First-chair trial counsel** and Manager of a multi-state staff of 12 direct reports who handled roughly 500 new 'public general liability,' property damage, personal injury and/or death claims every month. Hired, monitored and collaborated with local, national, and international counsel in high stakes litigation. **First** to hold the combined role of "Senior Attorney and Manager, Major Claims."
- Resolved **three uniquely different wrongful death electrocution cases** under highly favorable terms, **eliminating** the Company's exposure to potentially tens if not **hundreds of millions** in damages; Reduced escalation of all claims to litigation by 60%.
- Facilitated the resolution of **over 10,000 cases** filed by contractors who alleged intentional exposure to **asbestos**; Collaborated and coordinated with external counsel and **eliminated** exposure to **hundreds of millions** of dollars in potential legal liability.
- Led Six Sigma and Sarbanes-Oxley project teams configured to transform Allegheny into a High-Performance Organization (HPO); Spearheaded dramatic positive shift in Legal/Claims Department employees' perceptions of their value to the organization. Commended by Allegheny's Chairman/CEO for driving the highest and fastest rate of employee engagement Company-wide.
- Slashed the Company's reliance and expenditures on external legal services, recapturing **more than \$350,000** annually.

Selected High Profile Accomplishments and Results:

- Designated as the **exclusive** Legal Department point of contact with federal officials (OSHA, MSHA, etc.) in discovery efforts following 2006 Sago Mine disaster wherein 14 West Virginia coal miners were trapped underground following a coal mine explosion; Only one miner survived the explosion. My coordination, participation and full cooperation with federal authorities led to Allegheny Energy being completely absolved of responsibility for the disaster. **Avoided hundreds of millions of dollars in potential legal liability for thirteen deaths; Zero dollars spent on external legal services.**
- Teamed with outside counsel, identified and **recovered more than \$2 million** in overcharges arising out of a contractor's RICO overbilling scheme. Perpetrators were convicted in Federal Court and served lengthy prison sentences.
- Collaborated with outside counsel to capture **insurance recovery of more than \$20 million** from international insurers.
- Championed and oversaw the total overhaul and replacement of the Claims Department's Legal Database technology.

ATTORNEY/SENIOR ATTORNEY (1990-2003) – (ALLEGHENY ENERGY SUBSIDIARY COMPANIES)

First-chair trial counsel. Comprehensive and sole oversight and management of high stakes asbestos, toxic tort, personal injury, wrongful death and property damage cases; Slashed spending on external legal counsel by tens of thousands of dollars annually.

- Resolved 100% of personal injury, property damage, and wrongful death cases favorably and well under budget.
 - Won defense verdicts in more than a dozen jury and bench "damage claim" trials, **extinguishing** the Company's exposure to more than **\$2 million in potential legal liability** and totally avoiding hundreds of thousands of dollars in outside legal fees.
 - Partnered with Senior Leadership to provide Diversity and Inclusion training to enforce the Company's values-based culture; Served on the Company's premiere "*Diversity Implementation Team/Task Force*" and simultaneously led and/or served on other mission-critical teams and projects.
- **Selected High Profile Accomplishments and Results:**
 - Settled a potential **multi-million** dollar electrocution **wrongful death case** filed against the Company **for only \$60,000.**
 - Obtained a **defense verdict** in a week-long "total burn" structure fire jury trial wherein a prominent physician sought monetary recovery from Allegheny in **excess of \$1 million; Zero dollars paid; Zero legal fees.** Co-defendants settled out prior to trial.
 - Workforce Development - Special Projects. Appointed by the parent Company's Executive VP/CFO as the **only** Company attorney (of 20+) to serve on a four-member team (out of 5,000 employees) charged with conducting extensive business logistics analysis and business development research. Multiple new non-core and non-regulated business units were created.
 - Secured victory in litigation concluding years-long contentious battles with a competing electric service provider to determine which company would serve numerous large new industrial customers that were migrating into north-central WV. The most prominent new customer was **the FBI** with its massive National Crime Data Center, its global Fingerprint Identification Center, and its Criminal Justice Information Service Center; Prevailed on appeal before the WV Supreme Court of Appeals.

BAR ADMISSIONS

Admitted to Practice Before:

The Supreme Court of the United States;

The Supreme Court of Pennsylvania and all State Courts of Record in the Commonwealth of Pennsylvania (PA Bar ID 77917);

The Supreme Court of Appeals of West Virginia and all State Courts of Record in the State of West Virginia (WV Bar ID 4894);

The United States Circuit Court of Appeals for the Fourth Circuit;

The United States District Courts for the Northern and Southern Districts of West Virginia;

Eligible for swift "Corporate Counsel" admission in Ohio.

EDUCATION AND TRAINING

West Virginia University, Morgantown, WV
Juris Doctor (JD) degree - Law

Marshall University, Huntington, WV
Bachelor of Arts (BA) degree - Political Science

- Continuous Improvement Courses, Including a 'Personal MBA Master Class,' Podcasts, and Diversity, Equity & Inclusion Training.
- Early Career Experience in **Solo Private Trial Law Practice** and as **Assistant City Attorney** for The City of Huntington, WV.
- Early Career Experience in Hospital/Medical/Healthcare Environment Providing Clients Mental Hygiene Legal Services.
- Languages: English (native), Spanish (intermediate), Italian (beginner), Papiamento (beginner).

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ADDENDUM TO RESUME

LEADERSHIP, ADVISORY, TEACHING, AND DIVERSITY EQUITY & INCLUSION ROLES

Board of Trustees Member, Hudson Job Search;
Immediate Past Chair, Beachwood Professional Networking Group (BWJS);
Past-President, Executive Committee Member, and Master, The Ned J. Nakles American Inn Of Court;
Former Board of Trustees Member, Westmoreland County Community College; Board Secretary and Chair of the Educational Affairs Committee; Member, Workforce Development Committee, Personnel Committee and Audits Committee;
Leadership Akron – Alumni Division;
Leadership Marion County, Class #11 (Fairmont, WV);
Advisory Board Member and Volunteer Bell-Ringer, The Salvation Army, Greensburg, PA (Remote/Adjunct Member);
Former Adjunct Instructor, Business Law – Marshall University College of Business, Huntington, WV;
Former Attorney For Students at Marshall University, (Dispute Resolution, General Legal Advice, Landlord/Tenant);
Featured Panelist, “Heart To Heart Discussions On Race In America,” October 10, 2020 (Via Zoom);
Continuing Legal Education (CLE) Presenter, “*The Business Case For Diversity in Corporate America*” WV State Bar;
Talent Management Committee (Volunteer), The City of Green, Ohio; Gerard Neugebauer, Mayor;
Diversity Ambassador (Volunteer), The City of Green, Ohio; Gerard Neugebauer, Mayor;
Gender Fairness and Equity In The WV Court System Task Force. Appointed by WV Supreme Court Justice Margaret Workman;
Diversity, Equity & Inclusion Implementation Team, Workforce Development Task Force, New Business Task Force (at Allegheny).

SPECIAL APPOINTMENTS AND ASSIGNMENTS

Grader, West Virginia Bar Examination, Multi-State Essay Exam (MEE) component (10+ years);
Grader, Alternative Admissions Model Program for Legal Education (AAMPLE®) for Nova Southeastern University (3 years);
Assistant Defense Counsel For Mental Hygiene Matters, Cabell County Commission/Mildred Bateman Hospital, Huntington, WV.

OTHER BOARDS, COMMITTEES, HONORS, AND COMMUNITY SERVICE AFFILIATIONS

Member, Strathmore’s Who’s Who Worldwide. Worldwide Leadership Honorary Society;
Member, Marquis’ Who’s Who In America Leadership Honorary Society; 2019 Albert Nelson Marquis Lifetime Achievement Awardee;
Member, The Akron Bar Association (OH);
The Westmoreland Bar Association (PA);
The Marion County Bar Association (WV);
Member, Akron-Canton Barristers’ Association; Member, Social Media and Technology Committee;
Member, The Mountain State Bar Association (WV); Past Secretary; Current Chair, Social Media and Technology Committee;
Paul Harris Fellow, Rotary International; Member, The Rotary Club of Canton, Ohio; Former Rotary Board Member in Greensburg, PA;
Board Member, Harmony House, Inc. of Akron, OH (Emergency supportive housing for at-risk young men);
Member, West Virginia State Bar Lawyers’ Fund For Client Protection Committee and Minority Lawyers’ Committee;
Former Zone 6 Delegate, The House of Delegates of The Pennsylvania Bar Association (The Pennsylvania Bar’s policy-making body);
Former Member, Association of Corporate Counsel (**ACC**), Pittsburgh, PA Chapter;
Pennsylvania Bar Association In-House Counsel, Sports & Entertainment Law, and Minority Bar Sections;
Former Board Member, The Community Foundation of Westmoreland County, PA (Distribution Committee);
Member, Omicron Delta Kappa (ODK), National Leadership Honorary Society;
Member, Phi Alpha Delta (PAD) Law Fraternity International; Past Justice (President), Willey Chapter;
Former Director, Marshall University Alumni Association Board of Directors; Life Member, West Virginia University Alumni Association;
Former Board Member, The North Central West Virginia Coalition To Prevent Child Abuse;
Former Board Member, CASA (Court Appointed Special Advocate for protection of children) of Westmoreland County, PA;
Former Board Member, Literacy Volunteers, Inc. of Marion County, WV;
Former Board Member, The United Way of Westmoreland County, PA;
Former Board Member, Greensburg-Hempfield Area Library, PA.

AVOCATIONS AND INTERESTS

Professional Development, Public/Community/Volunteer Service: Lifelong Learner; Exceptional Relationship Manager and Networker; Extensive Home Library of Self-Improvement and Business Resources; Audio-Tech Subscriber; Regular User of Reference USA (Now “Data Axle”), CEO Express, TED Talks and Podcasts. Dedicated Rotarian; Canton Rotarian Of The Year Runner-Up in 2019. IN PROGRESS: 14-Hour “*Diversity, Equity & Inclusion In The Workplace*” Certificate Program, Offered Through The University of South Florida’s Muma College of Business.

Physical Fitness and Team Sports: Softball, on-road and off-road bicycling, golf, weight training, martial arts, hiking and kayaking.

Performing Arts: Featured musician and actor at notable community benefit, scholarship and non-political fundraising events.

Technology, Science and Travel: Keenly interested in promoting social/societal and scientific improvements to the human condition.