

JAMES BOGGS, ATTORNEY

Akron, Ohio 44308 ▪ 412-558-6671 ▪ JamesTBoggs@comcast.net ▪ LinkedIn.com/in/JamesTBoggs ▪ http://JamesBoggs.c.ws

PROFESSIONAL SUMMARY

Litigation and Risk Management ▪ Data Protection and Security ▪ Diversity and Inclusion ▪ HR ▪ Insurance
Major Claims ▪ Project Management ▪ Compliance and Controls ▪ Root Cause Analysis ▪ Team Leadership

Speedy, versatile, business-savvy, entrepreneurial legal counselor and pragmatic problem solver with a rock-solid record of success in trial advocacy, transactional work and in building exceptionally productive client relationships. A trusted advisor in the boardroom. A strong presence in the courtroom and at the negotiating table. Communicates clearly and effectively with all stakeholders. Collaborates with Executive Leadership to optimize outcomes, reduce exposure to legal risk, and to increase bottom-line profitability. Outstanding presentation, negotiation, advocacy and relationship management skills. Exceptional performance in the following key result areas:

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

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.

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)

Appointed by Chief Legal Officer to fill newly-combined role of “Senior Attorney and Manager, Major Claims.” 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 wrongful death claims each month. Hired, monitored, and assisted local, national, and international counsel in high stakes litigation; Championed ‘creative mitigation strategies’ that decreased the percentage of matters that escalated to litigation by over 60%.

- Supervised the resolution of over 10,000 cases filed by contractors who alleged intentional exposure to asbestos; Implemented strategies to assure that litigated and non-litigated claims would consistently be resolved in a light most favorable to the Company.
- Led Six Sigma project teams and initiatives designed to transform Allegheny into a High-Performance Organization (HPO); Spearheaded a dramatic positive shift in Legal and 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 \$300,000 annually through hands-on negotiation and risk management strategies and by leveraging well-honed presentation, courtroom and litigation skills.
- Project Manager and Supervisor of the Claims Department’s highly successful Sarbanes-Oxley Compliance and Controls program.
- Championed the total re-engineering, overhaul and replacement of the Claims Department’s Legal Database technology.

▪ **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 13 West Virginia coal miners were trapped underground following a mine explosion with only one survivor. My coordination, participation and full cooperation with federal authorities led to Allegheny Energy being completely absolved of responsibility for the disaster. \$0 dollars spent on external legal services.
- Teamed with outside counsel, identified and recovered over \$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 in runoff.

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 over a dozen jury and bench trials alleging property damage, thereby extinguishing the Company's potential exposure to more than \$2 million in legal liability and 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 very first "Diversity Implementation Team/Task Force."

▪ **Selected High Profile Accomplishments and Results:**

- Workforce Development - Special Projects. Appointed by the parent Company's Executive VP/CFO to serve as the only Company attorney 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.
- 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.
- Extinguished a multi-million dollar electrocution wrongful death case filed against the Company for a mere \$60,000.

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;
The Supreme Court of Appeals of West Virginia and all State Courts of Record in the State of West Virginia;
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 speedy "Corporate Counsel" admission in Ohio.

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);
Task Force For Gender Fairness and Equality In The Court System. Appointed by WV Supreme Court Justice Margaret Workman.

EDUCATION AND TRAINING

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

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

- In-Progress Personal Development and Continuous Improvement Program, including a 'Personal MBA Master Class.'
- Early Career Experience in Solo Private Law Practice and as Assistant City Attorney for The City of Huntington, WV.
- Early Career Experience Providing Mental Hygiene Legal Services to clients in a Healthcare/Medical/Hospital environment.
- Languages: English (native), Spanish (intermediate), Italian (beginner), Papiamento (beginner).

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ADDENDUM TO RESUME

BOARDS, AFFILIATIONS, AND COMMUNITY INVOLVEMENT

Board Memberships, Committees, and Honors:

Member, The Akron Bar Association (OH); The Westmoreland Bar Association (PA); The Marion County Bar Association (WV); Member, The Mountain State Bar Association (WV); Past Secretary; Current Chair, Social Media and Technology Committee; Member, Akron-Canton Barristers' Association; Member, Social Media and Technology Committee; Past-President, Executive Committee Member, and Master, The Ned J. Nakles American Inn Of Court; Former College 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; Paul Harris Fellow, Rotary International; Member, The Rotary Club of Canton, Ohio; Former Rotary Board Member in Greensburg, PA; Former Zone 6 Delegate, The House of Delegates of The Pennsylvania Bar Association (The Pennsylvania Bar's policy-making body); Association of Corporate Counsel (ACC), Former Member, Pittsburgh, PA Chapter; Board Member, Harmony House, Inc. of Akron, OH (Emergency supportive housing for at-risk young men); 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; Advisory Board Member and Volunteer Bell-Ringer, The Salvation Army, Greensburg, PA (Remote/Adjunct Member); Leadership Akron – Alumni Division; Leadership Marion County, Class #11 (Fairmont, WV); Member, West Virginia State Bar Lawyers' Fund For Client Protection Committee and Minority Lawyers' Committee; 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; Former Member, Estate Planning Counsel of Pittsburgh, PA.

TEACHING AND ADVISORY EXPERIENCE

Adjunct Instructor, Business Law – Marshall University College of Business, Huntington, WV;
Attorney For Students at Marshall University, Huntington, WV; (Landlord/Tenant, Dispute Resolution, General Legal Advice);
Continuing Legal Education Seminar (CLE) Presenter. Topic: "The Business Case For Diversity in Corporate America;"
Multiple Teams and Special Projects at Allegheny Energy, Inc. (Diversity, Workforce Development, New Business Task Force, etc.).

SPECIAL APPOINTMENTS AND ASSIGNMENTS

Grader, West Virginia Bar Examination, Multi-State Essay Exam component (10+ years);
Grader, Alternative Admissions Model Program for Legal Education (AAMPLE®) for Nova Southeastern University (3 years);
Task Force For Gender Fairness and Equality In The Court System. Appointed by WV Supreme Court Justice Margaret Workman;
Guardian Ad Litem in dozens of juvenile cases in state and federal court in WV and PA.

AVOCATIONS AND INTERESTS

Professional Development, Community/Volunteer Service and Social Media: Exceptional relationship manager and networker.
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 social and scientific improvements to the human condition on a global scale.