



James M. Warden, Esq.

Kansas City, Missouri, United States of America

Current Employer-Title Horn Aylward & Bandy, LLC - Partner

Profession Attorney

Work History Partner, Warden Grier LLP, 2002- 2023; Partner/Associate, Blackwell Sanders LLP, 1975-2002; Business Credit Analyst, Commerce Bank of Connecticut, 1969-1972.

Experience Over a career of more than 40 years managed complex commercial and construction disputes for both plaintiffs and defendants ranging in size from \$1 million to over \$1 billion. Tried cases in state and federal courts and arbitrated claims before three member panels for construction and commercial clients throughout the United States. Recognized for over 25 years in Best Lawyers of America (Construction and Commercial Litigation) and Martindale-Hubbell AV (including Judicial Edition AV Preeminent Rating).

As a member of the Plaintiffs' Executive Committee managed and successfully recovered \$1.2 billion in a nationally publicized settlement in Federal Court in New York of claims against airlines and security companies for the 9/11 loss of the World Trade Center, relying on theories of breach of fiduciary duty, negligence, and violation of Federal regulations to avoid the obvious argument that the property loss had resulted from the intervening acts of terrorists.

Types of commercial dispute clients: Businesses ranging in revenues from millions to billions of dollars; manufacturing, credit card issuance, wholesale groceries, hotel operation, commercial insurance, and individual owners and shareholders of closely held companies and law firms.

Types of commercial dispute cases: Business tort, breach of contract, interference with contract, failed merger/acquisition, theft of trade secrets, franchise responsibilities, professional (legal) malpractice, breach of fiduciary duty, shareholders' rights, RICO, product liability, and insurance coverage.

Types of construction dispute clients: Contractors, design engineers, and owners ranging in size from a small rural wholesale water district to multi-billion dollar domestic and international contractors in disputes involving power, water, gas processing, and commercial facilities. Projects have typically ranged in value from

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Neutral ID : 5844384

The AAA's Rules provide the AAA with the authority to administer an arbitration including, arbitrator appointment and challenges, general oversight, and billing. Accordingly, arbitrations that proceed without AAA administration are not considered AAA arbitrations, even when the parties select an arbitrator who is on the AAA's Roster.

The information contained in this resume has been supplied solely by the individual arbitrator and may, or may not, be a complete recitation of their experience. The AAA assumes no responsibility for the content, completeness, accuracy, or reliability of the information contained in an arbitrator's resume. If you have any questions about an arbitrator's experience or background, you are encouraged to contact your case manager.

Arbitrators on the AAA Roster are not employees or agents of the AAA.

hundreds of millions of dollars like a gas processing plant in Saudi Arabia, a regional hospital in the United States, or large power plants in various states to billions of dollars for the "Big Dig" in Boston.

Types of construction dispute cases: Breach of contract, delay, cumulative impact, construction defect, professional (engineering and design) malpractice, and business tort.

Alternative Dispute Resolution Experience

Alternative dispute resolution experience has been as an advocate for clients in the management of almost all large, complex commercial and construction disputes whether as a matter of contractual requirement, the local rules of courts, or voluntary decision by the parties. The \$1.2 billion settlement of the WTC property loss occurred after months of mediation with a retired federal judge appointed by the Southern District of New York, the venue designated by Congress to manage cases arising out of 9/11.

Education

University of Michigan Law School (JD-1975); Princeton University (AB-1969).

Professional Licenses

Admitted to the Bar: Missouri (1975), Kansas (1985), Nebraska (2014).

Professional Associations

Missouri Bar Association, Kansas Bar Association, Nebraska Bar Association.

Recent Publications & Speaking Engagements

Articles on "Lack of Standing vs. Lack of Capacity to Sue for Breach of Contract" and "Standing of Beneficiaries under Trust or Will to Assert Claims Against Lawyer Representing Settlor."

Presentations at Construction Superconferences concerning potential conflicts of interest in both attempting to limit representation and representing multiple parties to transactions.

Citizenship Languages

United States of America
English

Compensation

Hearing:	\$395.00/Hr
Study:	\$395.00/Hr
Cancellation Period:	0 Days
Comment:	Cancellation fees only for non-refundable costs.

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