



Practice Areas

- Litigation
- Commercial Litigation
- Insurance Litigation
- Personal Injury Defense
- Products Liability Litigation
- Professional Liability
- Bankruptcy & Creditors' Rights
- Construction
- Environmental

Education

- University at Buffalo Law School, J.D., *cum laude*, 2009
 - Recipient, Harold A. Dautch Memorial Scholarship
 - Concentrations in finance-transactions and International Law
- Northeastern University, B.S., *cum laude*, 2006
 - Visiting Scholar, London School of Economics
 - Youth Diplomat, National Youth Diplomacy Mission to China

Admissions

- New York
- U.S. Bankruptcy Court for

James J. O'Shea

PARTNER

P: 315.565.4545
F: 315.565.4600
joshea@hancocklaw.com

James J. O'Shea is a partner in the Firm's Litigation practice. He focuses on complex litigation in federal and New York State courts representing clients in sophisticated corporate disputes including dissolutions of both public and private entities, shareholder derivative suits, bankruptcy and restructuring matters, construction litigation, environmental litigation and defense of personal injury claims. In an advisory role, Mr. O'Shea often serves as a liaison between businesses and individuals regarding risk management, employment, tax, corporate organization and dispute resolution prior to litigation.

Mr. O'Shea has successfully represented municipalities and their respective agencies in a variety of issues including tax certiorari matters from the beginning of the grievance proceeding through multi-year challenges at trial.

Mr. O'Shea also represents clients in the leisure industry across New York State and has successfully defended many personal injury claims, often achieving dismissal before trial.

In addition to his complex corporate litigation, Mr. O'Shea also represents clients in general civil litigation including multiple aspects of estate/fiduciary litigation.

Representative Matters

- Represented controlling shareholders and Officers and Directors of a multi-national manufacturing company in the successful defense of breach of fiduciary claims seeking in excess of \$10 million dollars, culminating in full resolution of claims and buyout of minority shareholders.
- Successfully defended the Officers and Directors/Member Managers of a multi-national business at trial in the United States Bankruptcy Court, Northern District of Illinois, on breach of fiduciary claims seeking in excess of \$3 million dollars.
- Obtained judgment in excess of \$1 million dollars for a national business conglomerate as a result of a business partner's breach of contract.
- Obtained summary judgment for large snowmobile club on personal injury claims pursued by injured snowmobilers.
- Represented multiple municipalities in multi-year tax certiorari actions.
- Obtained summary judgment for regional business in the defense of personal injury claims in Westchester County.
- Represented regional banking institution in the successful prosecution and recovery

the Eastern District of New York

- U.S. Bankruptcy Court for the Northern District of New York
- U.S. Bankruptcy Court for the Southern District of New York
- U.S. Bankruptcy Court for the Western District of New York
- U.S. Court of Appeals for the Second Circuit
- U.S. District Court for the Eastern District of New York
- U.S. District Court for the Northern District of New York
- U.S. District Court for the Southern District of New York
- U.S. District Court for the Western District of New York

of in excess of \$300,000.00 on fraudulent conveyance claims.

- Represented regional banking institution on the recovery of fraudulently wired funds.
- Represented numerous businesses and individual shareholders in partnership, LLC, and corporate disputes and dissolution proceedings across New York State.
- Represented numerous beneficiaries, trustees, estate administrators against breach of fiduciary claims.

Professional Credentials

- Member, New York State Academy of Trial Lawyers
- Member, Empire State Counsel, New York State Bar Association
- Member, New York State Bar Association
- Member, Northern District of New York Federal Court Bar Association
- Member, New York State Bar Association, Federal and Commercial Litigation Section
- Member, Onondaga County Bar Association
- Secretary, Bishop Grimes Jr./Sr. High School, Board of Trustees
- Chair, Bishop Grimes Jr./Sr. High School, Athletics Committee Volunteer Junior Varsity/Varsity Basketball Coach, Bishop Grimes Jr./Sr. High School

Honors & Recognitions

- Selected, Upstate New York *Super Lawyers* – Rising Star (2016-2022)
- Empire State Counsel, New York State Bar Association (2013)

Press & Publications

News

- 24 Hancock Estabrook Attorneys Named Super Lawyers 2022
- 25 Hancock Estabrook Attorneys Named Super Lawyers for 2021

Publications

- Creditors' Rights Law Alert: Make Sure Your Security Interests are in Place and Perfected
- Creditors' Rights Law Alert: Creditors Meeting – The 341 Meeting
- Creditors' Rights Law Alert: Minimizing Your Exposure to Claims for Preferential Payments
- Creditors' Rights Law Alert: Business Creditors Can Expect an Increase in Bankruptcy Filings
- Environmental Law Alert: Department of Environmental Conservation (DEC) has Issued Clarifications as to what Constitutes “Essential Construction”
- Litigation Law Alert: New York Safety in Agriculture Tourism Act
- NCAA Begins Path to Paying Student Athletes

Speaking Engagements

- 2022 The SLEDNY, Inc. Educational Forum
- New York State Snowmobile Association Webinar: “Club Liability Insurance and Other Insurance Issues”
- 2019 New York State Snowmobile Association State Conference
- Hancock Estabrook Sixth Annual Advisors to Small Business Symposium
- 2018 New York State Snowmobile Association State Conference
- Hancock Estabrook Fifth Annual Advisors to Small Business Symposium
- Estate & Long Term Care Planning Breakfast Club, “Hot Topics in Long-Term Care Planning: An Interactive Discussion”