



Practice Areas

- Alternative Dispute Resolution
- Litigation
- Commercial Litigation
- Personal Injury Defense
- Products Liability Litigation
- Professional Liability
- Intellectual Property
- Construction
- Education
- Labor & Employment
- Municipal & Public Entities
- Military

Education

- Juris Doctor, *summa cum laude*, Syracuse University College of Law, 1996
 - Valedictorian
 - *Syracuse Law Review*, Notes and Comments Editor
 - Justinian Honor Society, President
 - George and Evelyn Marcus Award winner
 - Order of the Coif
- Master of Public Administration, Maxwell School of Citizenship and Public Affairs, Syracuse University, 1996

John G. Powers

PARTNER

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John Powers is a civil litigator and trial lawyer, whose clients count on him for his judgment, thoroughness, and tenacity. He routinely appears in federal and state courts, as well as arbitration, on complicated civil matters to advocate for the interests and causes of his clients, which include municipalities, business corporations, universities, and individuals. John began his legal career over 25 years ago as a federal law clerk and he has continued in private practice to be passionate about representing his client's interests and the art and science of the practice of law. He has been honored for his body of work as a Fellow of the American College of Trial Lawyers.

John's practice areas include product liability litigation, civil rights defense, Article 78 defense, construction litigation, intellectual property and trade secret litigation, and complex contractual and intra-corporate disputes of all types. John also provides ongoing counsel to his clients regarding risk management, policy development, and dispute resolution prior to the emergence of litigation.

John is a court-approved mediator for both the Federal District Court for the Northern District of New York and the New York State Unified Court System.

John previously practiced with the Arent Fox law firm, in Washington, D.C., and prior to becoming an attorney, he served on active duty in the military as a United States Army Infantry Officer.

Representative Matters

- Defended and preserved municipal police and fire minority hiring consent decree in response to Department of Justice challenge.
- National product liability defense counsel to medical device manufacturer.
- Defended university successfully in multiple student-initiated Article 78 proceedings challenging student discipline.
- Participated in the revision and rewriting of municipal police use of force policies.
- Tried and successfully defended municipal police officers in civil rights trial.
- Tried and successfully defended municipal client on *Monell* claim.
- Defended \$9 million arbitration of a dispute over termination of an international distribution agreement.
- Court-approved mediator for Northern District of New York, mediating over 40 cases since 2014.

- Bachelor of Science, United States Military Academy at West Point, 1988

Admissions

- District of Columbia
- New York
- U.S. Court of Appeals for the Second Circuit
- U.S. District Court for the District of Columbia
- 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
- U.S. Supreme Court
- Ongoing representation as outside general counsel to two inter-municipal health care cooperatives.
- Drafted inter-municipal cooperative agreements for multiple types of municipal cooperatives.
- Obtained summary judgment and defeated subsequent appeal on million-dollar delay/disruption construction claim on behalf of a municipal client.
- Obtained summary judgment and defeated subsequent appeal on behalf of the State of New York in a multi-million dollar USERRA class action.
- Tried and obtained multi-million dollar jury verdict in federal court in property damages insurance dispute where fire cause and origin was at issue.
- Obtained federal court dismissal for Minnesota manufacturing company based on personal jurisdiction challenge.
- Tried and favorably resolved wrongful death case against a municipal client.
- Obtained summary judgment for a municipal client in federal court strip search class action.
- Obtained summary judgment for a municipal client to defeat multiple race and retaliation §1983 claims by a former employee.
- Obtained dismissal of a product liability claim for a manufacturer for failure to prosecute.
- Obtained dismissal of *qui tam* action against municipal defendant for improper venue.
- Defeated preliminary injunction motion on behalf of individual defendants by a former employer in trade secret litigation.
- Defeated a summary judgment motion brought against a small business in a multimillion-dollar trade secret theft case.
- Obtained summary judgment for a municipal client to defeat multiple race and retaliation §1983 claims.
- Tried and obtained a defense jury verdict for a medical device manufacturer on a \$26 million tortious interference action tried in federal court in the Western District of Pennsylvania.
- Obtained a summary judgment in the Western District of Pennsylvania which dismissed multimillion-dollar antitrust claims. Successfully defended the verdict on appeal to the United States Circuit Court of Appeals for the Federal Circuit.
- Tried and obtained a defense jury verdict for a municipality in an Equal Pay Act action tried in federal court in the Northern District of New York.
- Obtained a preliminary injunction in federal court on behalf of an energy industry manufacturer to prevent a competitor from utilizing misappropriated technical information obtained from a prior employee.
- Obtained a partial summary judgment on the issue of liability for a design-build contractor on a \$1.3 million claim by a subcontractor on a construction project on a federal military installation.
- Tried and obtained a defense jury verdict for an individual defendant in a sexual harassment action tried in federal court in the Northern District of New York.
- Obtained voluntary dismissal of a products liability claim brought against a medical device manufacturer in a wrongful death action (venued in Arizona).
- Litigated various products liability cases in New York, California, Alabama, Texas,

Tennessee, Pennsylvania, and Connecticut to successful conclusion via settlement.

- Tried an EPCRA environmental penalty hearing for an energy company before an EPA administrative law judge.
- Obtained a dismissal on behalf of a New York manufacturer of a contract/tort action brought by a Washington distributor in federal court in the Western District of Washington.
- Negotiated environmental liability/site remediation settlement on behalf of a manufacturer for underground contamination in Florida.
- Arbitrated a \$6.6 million intra-corporate dispute on behalf of a municipal health care cooperative.
- Obtained a Yellowstone injunction for a landfill gas recovery and power generation company, preventing a municipality from terminating a landfill gas use leasehold.
- Obtained a summary judgment of non-infringement on a patent infringement claim brought against a New York manufacturer by a German competitor.
- Litigated *Markman* hearings in the Western District of Pennsylvania and the District of Colorado.

Professional Credentials

- Fellow, American College of Trial Lawyers
- Fellow, Litigation Counsel of America
- Member of Board of Trustees, Federal Court Bar Association, Northern District of New York
- Administrator of Veteran's Pro Bono Legal Clinic as part of Onondaga County Volunteer Lawyer Project
- Member, New York State Bar Association
- Empire State Counsel, New York State Bar Association
- Member of Board, Hiscock Legal Aid Society
- Member, Association of General Contractors of New York State
- Former Adjunct Professor, Newhouse School of Communications, Syracuse University, Communications Law, Fall Semester 2006
- Former Member of Board of Directors and Past President, McMahon/Ryan Child Advocacy Center

Honors & Recognitions

- Selected, Products Liability Litigation – Defendants, “Lawyer of the Year” in Syracuse, *The Best Lawyers in America (2021)*
- Selected, *The Best Lawyers in America (2020-2025)*
- Rated, AV Preeminent, Martindale-Hubbell
- Selected, Upstate – New York, *Super Lawyers (2010-2024)*
- Recipient, Syracuse Vet Center Award (2013)
- Recipient, Pro Bono Service Award, New York State Bar Association (5th Judicial District)
- Empire State Counsel, New York State Bar Association (2013)
- Recipient, “Humanitarian of the Year” Award, Vietnam Veterans of America Central

New York Chapter #103 (2011)

- Recipient, OCBA Distinguished Pro Bono Service Award, Onondaga County Bar Association (2010)

Press & Publications

News

- [24 Hancock Estabrook Attorneys Selected as Super Lawyers 2023](#)
- [26 Hancock Estabrook Attorneys Selected to The Best Lawyers in America 2024](#)
- [24 Hancock Estabrook Attorneys Named Super Lawyers 2022](#)
- [20 Hancock Estabrook Attorneys Selected to The Best Lawyers in America 2023](#)
- [25 Hancock Estabrook Attorneys Named Super Lawyers for 2021](#)
- [John G. Powers Admitted to The American College of Trial Lawyers](#)
- [17 Hancock Estabrook Attorneys Selected to The Best Lawyers In America 2020](#)
- [John G. Powers to be Honored for Work at the Veterans Legal Clinic](#)
- [John G. Powers, Esq. wins the New York State Bar Association's 2011 President's Pro Bono Service Award for the 5th Judicial District](#)

Publications

- [Mediation Alert: Remote Videoconference Mediations, April 7, 2020](#)
- [Does Product Design Liability Exist Outside the Chain of Distribution?, New York Law Journal, February 24, 2014](#)
- [New York Case Notes, Product Liability Perspectives, ALFA International, Vol. 6, Issue 1, Winter 2010](#)
- [Planning for Forum Selection in Commercial Transactions, New York State Bar Association Journal, Vol. 78, No. 2, February 2006](#)
- [Federal Preemption of State Tort Suits Available for PMA Medical Devices, Legal Backgrounder, Vol. 20, No. 20, May 6, 2005](#)
- [Brownfield Clean-Up Program Provides Participants a Limited Release from Future Liability, Hancock Estabrook – In Plain English, Winter 2004](#)
- [Sexual Harassment: To What Extent Need the Conduct Be Sexual in Nature?, NY Litigator, Vol. 8, No. 1, Winter 2003](#)

Speaking Engagements

- [MedTech and CenterState CEO, Syracuse Pre-Seed Workshop](#)
- [New York Public Authorities Construction Contact Workshop, White Plains, NY, "Practical Contract Administration and Examining Legal Issues and Disputes"](#)
- [New York State-Federal Judicial Council, "Attorney Privilege and Work Product"](#)

Reported Decisions

- [Arrindell-Martin v. Eiffe](#), No. 518CV0780, 2024 WL 1180208, at *1 (N.D.N.Y. Mar. 19, 2024)
- [Lilian C. v. City of Syracuse](#), 224 A.D.3d 1276 (4th Dep't 2024)

- *Hanks v. City of Syracuse*, No. 22-2819, 2023 WL 8889764, at *1 (2d Cir. Dec. 26, 2023)
- *O'Brien v. City of Syracuse*, No. 522CV948, 2023 WL 6066036, at *1 (N.D.N.Y. Sept. 18, 2023)
- *Columbus Monument Corp. v. City of Syracuse*, 218 A.D.3d 1184 (4th Dep't 2023)
- *Conmed Corp. v. First Choice Prosthetic & Orthopedic Serv., Inc.*, No. 6:21-CV-1245, 2023 WL 3647908, at *1 (N.D.N.Y. May 25, 2023)
- *Franco v. Gunsalus*, No. 22-339, 2023 WL 3590102, at *1 (2d Cir. May 23, 2023)
- *Hicks v. Craw*, No. 517CV475, 2022 WL 3593623, at *1 (N.D.N.Y. Aug. 22, 2022)
- *Hanks v. City of Syracuse, et al*, No. 5:21-cv-921, 2022 WL 4619877 (N.D.N.Y. Sept. 30, 2022)
- *Grant v. Lockett*, –Fed. Appx.–, 2021 WL 5816245 (2d Cir. Dec. 8, 2021)
- *Cooper Crouse-Hinds, LLC v. City of Syracuse, New York*, No. 5:16-CV-1201; 2021 WL 4950565 (N.D.N.Y. Oct. 25, 2021)
- *Moore v. City of Syracuse*, No. 5:20-CV-1641, 2021 WL 3930730 (N.D.N.Y. Sept. 2, 2021), *on reconsideration*, No. 5:20-CV-1641, 2021 WL 4972631 (N.D.N.Y. Oct. 26, 2021)
- *New York Civil Liberties Union v. City of Syracuse*, No. 002602/2021, 2021 WL 1804382 (N.Y. Sup. Ct., Onon. Cty., May 5, 2021)
- *Gray v. LaFountain*, 193 A.D.3d 1324 (4th Dep't 2021)
- *Honeywell Int'l Inc. v. Buckeye Partners, L.P.*, No. 5:18-CV-646 (FJS/ML), 2021 WL 1206536 (N.D.N.Y. Mar. 31, 2021)
- *Alexander v. Bahou*, No. 5:78-CV-392, 2021 WL 99496 (N.D.N.Y. Jan. 12, 2021)
- *Doe 1 v. Syracuse Univ.*, 188 A.D.3d 1570, 135 N.Y.S.3d 536 (4th Dep't 2020)
- *Crawley v. City of Syracuse*, 496 F. Supp. 3d 718 (N.D.N.Y. 2020)
- *Doe #1 v. Syracuse Univ.*, 468 F. Supp. 3d 489 (N.D.N.Y. 2020)
- *Honeywell Int'l, Inc. v. Buckeye Partners, L.P.*, No. 518CV0646FJSML, 2020 WL 9264854 (N.D.N.Y. Apr. 24, 2020)
- *Bilicki v. Syracuse Univ.*, 181 A.D.3d 1188, *leave to appeal denied*, 35 N.Y.3d 914 (2020)
- *Sprole v. Underwood*, No. 318CV1185LEKML, 2019 WL 4736241 (N.D.N.Y. Sept. 27, 2019)
- *Montanez v. City of Syracuse*, No. 616CV00550BKSTWD, 2019 WL 4328872 (N.D.N.Y. Sept. 12, 2019)
- *Acquah v. City of Syracuse*, No. 518CV1378LEKDEP, 2019 WL 3975463 (N.D.N.Y. Aug. 22, 2019)
- *Bilicki v. Syracuse Univ.*, 67 Misc. 3d 1230(A), 127 N.Y.S.3d 228 (N.Y. Sup. Ct., Onon. Cty, 2019)
- *Montanez v. City of Syracuse*, 616CV00550BKSTWD, 2019 WL 315058 (N.D.N.Y. Jan. 23, 2019)
- *United States ex rel. Rubar v. Hayner Hoyt Corp.*, No. 514CV830GLSCFH, 2018 WL 4473358, (N.D.N.Y. Sept. 18, 2018)
- *Crawley v. City of Syracuse*, No. 5:17-CV-1389, 2018 WL 3716782, at *1 (N.D.N.Y. Aug. 3, 2018)
- *Murnane Bldg. Contractors, LLC v. Cameron Hill Constr., LLC*, 159 A.D.3d 1602 (4th

Dep't 2018)

- *Cooper Crouse-Hinds, LLC v. City of Syracuse, New York*, No. 16-CV-1201 (MAD/ATB), 2018 WL 840056 (N.D.N.Y. Feb. 12, 2018)
- *United States ex rel. Rubar v. Hayner Hoyt Corp.*, 306 F. Supp. 3d 478 (N.D.N.Y. 2018)
- *Perkins v. Sunbelt Rentals, Inc.*, No. 514CV1378BKSDep, 2015 WL 12748009 (N.D.N.Y. Aug. 13, 2015)
- *Weydman Elec., Inc. v. Joint Schools Const. Bd.*, – A.D.3d – 2016 WL 3201574 (4th Dept. June 10, 2016)
- *Andrews v. State*, 138 A.D.3d 1297 (4d Dept. 2016)
- *Laskowski v. Liberty Mut. Fire Ins. Co.*, 2015 WL 2130938 (N.D.N.Y. May 7, 2015)
- *Wright v. City of Syracuse*, 2014 WL 1293527 (N.D.N.Y. March 31, 2014)
- *U.S. ex rel. Doe v. Taconic Hills Cent. School Dist.*, 8 F.Supp.3d 339 (S.D.N.Y. 2014)
- *Mothersell v. City of Syracuse*, 289 F.R.D. 389 (N.D.N.Y. 2013)
- *Lopez v. Smurfit-Stone Container Enterprise, Inc.*, 289 F.R.D. 103 (N.D.N.Y. 2013)
- *Genesee/Wyoming YMCA v. Bovis Land Lease LMB, Inc.*, 98 A.D.3d 1242, (4th Dept. 2012)
- *American Underground Engineering, Inc. v. City of Syracuse*, 2012 WL 3202853 (N.D.N.Y. August 2, 2012)
- *American Underground Engineering, Inc. v. City of Syracuse*, 2011 WL 4809882 (N.D.N.Y. October 11, 2012)
- *Stork H & E Turbo Blading, Inc. v. Berry*, 32 Misc.3d 1208(A), 932 N.Y.S.2d 763 (Sup. Ct., Tompkins Cty., 2011)
- *ERBE Electromedizin GmbH v. Canady Technology LLC*, 629 F.3d 1278 (Fed. Cir. 2010)
- *Brown v. City of Syracuse*, 677 F.Supp.2d 576 (N.D.N.Y. 2010)
- *Brown v. City of Syracuse*, 648 F.Supp.2d 461 (N.D.N.Y. 2010)
- *State of New York v. M & E Technical Servs.*, 2009 WL 2878451 (N.D.N.Y. 2009)
- *Parkis v. Microsoft Corp.*, 2009 WL 1585003 (N.D.N.Y. 2009)
- *Lee v. City of Syracuse*, 603 F.Supp.2d 417 (N.D.N.Y. 2009)
- *Silveira Industries, Ltd. v. Actus Lend Lease, LLC*, 2008 WL 5423033 (N.D.N.Y. 2008)
- *Actus Lend Lease LLC v. Integrated Building Resources Development LLC*, 2007 WL 2362389, N.D.N.Y. 2007)
- *ERBE Electromedizin GmbH v. Canady Technology LLC*, 529 F.Supp.2d 577 (W.D.Pa. 2007)
- *ERBE Elektromedizin GmbH v. Canady*, 512 F.Supp.2d 297 (W.D.Pa. 2007)
- *Board of Educ. of Liverpool Cent. School Dist. v. Central New York Health Ins. Trust*, 28 A.D.3d 1251, 812 N.Y.S.2d 917 (4th Dept. 2006)
- *Broome Landfill Gas Associates, LP v. County of Broome*, 10 Misc.3d 1022, 806 N.Y.S.2d 388 (Sup Ct., Broome Cty., 2005)
- *United Computer Capital Corp. v. Daidone*, 2005 WL 579565 (N.D.N.Y. 2005)
- *PST Services, Inc. v. Larson, et al.*, 221 F.R.D. 33 (N.D.N.Y. 2004)
- *Conmed Corp. v. Erbe Electromedizin, GmbH*, 241 F. Supp.2d 187 (N.D.N.Y. 2003)
- *City of Rome v. Verizon Communications, Inc.*, 240 F. Supp. 2d 176 (N.D.N.Y. 2003)

- *Conmed Corp. v. Ludlow Corp.*, 235 F. Supp.2d 109 (N.D.N.Y. 2003)
- *GA Braun Inc. v. G & A Laundry, Inc.*, 2000 U.S. Dist. Lexis 14188 (N.D.N.Y. July 30, 2002)
- *Harris v. Niagara Mohawk Power Corp.*, 252 F.3d 592 (2d Cir. 2001)
- *In re Cortland Memorial Hospital*, B-286890, March 5, 2001, 2001 Comp. Gen. Proc. Dec. 48
- *Conmed Corp. v. Erbe Electromedizin, GmbH*, 129 F. Supp.2d 461 (N.D.N.Y. 2001)
- *Toledo Technologies, Inc. v. INA Walzlager Schaeffler Kg* 1999 U.S. Dist. Lexis 13415 (N.D. Ohio 1999)