



Partner

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James A. Cardenas is a partner and practices out of Thomas, Thomas & Hafer's Hampton, NJ office. Jim is a versatile and seasoned trial attorney. He has handled an extensive list of cases involving architectural and engineering design professionals, construction managers, big-box retailers, product manufacturers, general contractors, trucking companies, homeowners and others. His experience includes construction disputes, building collapses, wall collapses, mechanical system performance issues, parking garage failures, sewer systems, road construction, building settlement, workplace accidents, negligence cases, premises liability matters, product liability actions and employment discrimination disputes. His client list represents many large and well-known companies as well as small and medium sized businesses. Jim has appeared in all 21 counties in NJ and 43 of NY's 62 counties. Jim has travelled to California, Texas, Nevada, Kansas, Florida, Massachusetts, Michigan, Illinois, Virginia, Washington D.C., Maryland, Georgia, Delaware, Pennsylvania and Ohio for litigation tasks including site inspections, product inspections, expert depositions, witness depositions and client meetings. On a particular case, Jim travelled to Buffalo, NY 25 times over the course of 3 years handling over 50 depositions, inspections, hearings and ultimately mediation where his client paid less than 2% of the eventual \$25 million dollar settlement.

As a philosophy for litigation, Jim's approach is aggressive but pragmatic. He is cordial with adversaries but demanding with respect to his discovery pursuits. Jim will lift every stone when that approach is dictated by the situation. Clients find Jim likable, dependable, and driven to get the results that are expected and anticipated. While he has been able to pull a rabbit out of a hat on occasion much to the delight of his clients, he is also cognizant of litigation realities and always steers the case in the best direction.

Over the course of his career, Jim has developed expertise in dealing with Administrative Agency actions involving design professionals including matters before NYC Department of Building (Special Enforcement Unit), NY Board of Professions, CUNY, NY Movable Bridges Division, OSHA, NY Department of Labor, NYCHA, NY Historical Preservation Society, E.E.O.C., NJ Department of Labor and others. Jim has worked with individual professionals to preserve their license, avoid criminal prosecution and avoid harsh civil disciplinary action. Jim worked with an engineering firm to retain its license to perform Special Inspections in NY shepherding a new Director into the fold while resolving issues related to a multiple fatality

building collapse and subsequent 1st party and subrogation property damage claims.

Jim has made live presentations to the NY Society of Professional Engineers in Albany, NY, NJ Architects of Essex County, Lexington Insurance Company in Boston, MA and open invitation events to Architects and Engineers on ESI and the developments of Electronic discovery obligations with attendance in excess of 100 participants on several occasions.

Jim has argued appeals in the 2nd Circuit and before the NJ Supreme Court as well as over 25 Appellate Division matters in NJ and NY. Jim has an extensive number of pre-answer motion dismissals, summary judgment dismissal and directed verdicts after start of trial but prior to jury deliberations.

Whether it involves a work site accident claim or a construction dispute over retainage and change orders, Jim has real experience handling matters large and small. With over a dozen trials to verdict including 11 defense verdicts he has a track-record of outstanding results. One case included \$32 million in damages related to a building suffering from extensive settlement against 3 co-defendants with a no liability finding in favor of his geo-technical engineering client after a 12 week trial in Hudson County, NJ.

Jim has conducted in excess of 500 depositions and participated in hundreds of mediations and arbitrations. The reality of litigation is that most cases settle. Jim has negotiated and reached settlements in countless matters involving cases that run the gamut from contentious disputes to reluctant claims by long-time clients. In representing his clients, Jim always starts by fostering trust, developing confidence, working harder than his adversary, and delivering ultimate results in line with expectations.

Outside the office, Jim is a dedicated father to his identical twin daughters, member of his local church and friend to his community.

Practice Areas:

General Liability, Construction, Surety & Design Professionals, Product Liability

Education:

Rutgers Law School, *J.D.*, 1997

Arizona State University, *B.A.*, 1993

Bar Admissions:

New York

New Jersey

United States District Court - New Jersey

United States District Court for the Eastern District of New York

United States District Court for the Southern District of New York

United States District Court for the Western District of New York

United States District Court for the Northern District of New York

Second Circuit Court of Appeals

U.S. Supreme Court