

James “Jim” J. Proszek

Of Counsel

Resident in Chicago, Illinois; Licensed in Oklahoma; Not Licensed in Illinois

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Jim Proszek practices primarily in the Corporate/Commercial Litigation and Telecommunications Law areas. He also has extensive experience in the following: Landlord/Tenant Law; Condemnation/Eminent Domain; Right-of-Way Acquisition & Disputes; Representation of Tribal Housing Authorities; Litigation involving Native American Law issues; and Appellate Advocacy. In addition, he is an AV-rated attorney through Martindale-Hubbell.

Jim is a frequent speaker on Telecommunications Law issues, including presentations to the CGA Excavation Conference, Global Excavation Safety Conference, Missouri CGA, Oklahoma Excavation Safety Conference, National Telecommunications Damage Prevention Council and the National Telecommunications Claims Managers Association on investigation and pursuit of claims for damage to underground utility facilities, as well as CLE seminars regarding easements, right-of-way issues and eminent domain.

Highlights of his legal career include:

- Won $375,000 jury verdict for a telecommunications company in underground utility damage case.
- Won $109,000 court judgment for a telecommunications company in underground utility damage case.
- Negotiated settlements in excess of one-half million dollars in underground utility damage cases.
- Represented oil and gas pipeline companies and telecommunications companies in eminent domain proceedings and right-of-way disputes in a multitude of states.
- Has argued cases before the Oklahoma and Florida and Virginia Supreme Courts, and the D.C., Fourth, Ninth, Tenth and Eleventh U.S. Circuit Courts of Appeal

Practices

Litigation

- Appellate
- Insurance Law & Tort Defense

Corporate & Business Services

Native American Law

Education

- University of Tulsa College of Law (J.D., 1983)
- University of Tulsa (B.S. in Sociology, 1975)

Admissions

- Oklahoma (1983)
- Oklahoma Supreme Court
- U.S. District Court for the Northern District of Oklahoma
- U.S. District Court for the Western District of Oklahoma
- U.S. District Court for the Eastern District of Oklahoma
- U.S. District Court for the Central District of Illinois
- U.S. District Court for the Northern District of Illinois
- U.S. District Court for the Southern District of Illinois
- U.S. District Court for the District of Maryland
- U.S. District Court for the District of Colorado
- U.S. District Court for the Northern District of Florida
- U.S. Court of Appeals for the District of Columbia
- U.S. Court of Appeals for the Second Circuit
- U.S. Court of Appeals for the Fourth Circuit
- U.S. Court of Appeals for the Fifth Circuit
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Court of Appeals for the Tenth Circuit
- U.S. Court of Appeals for the Eleventh Circuit

Experience

- 1998 - Present Hall Estill
- 1996 - 1998 Gourley & Proszek, PLLC
- 1983 - 1995 Hall Estill

Honors & Awards

- Recipient of the 2018 Founder's Award by NALA, the leading paralegal organization in the United States. This award is the highest award presented by the organization and recognizes extraordinary or outstanding contributions to the growth and future of the paralegal profession, which has impacted or affected the paralegal profession in a positive manner for a significant period of time.
- Recognized as a Best Lawyer in America in Communications Law
- Recipient of the 2010 Oklahoma Bar Association Pro Bono Award
- Recipient of the 2015-2016 Tulsa County Bar Association Presidents Award
- Recipient of the 2016 Pro Bono Legal Service Award presented by the Tulsa County Bar Association

Community & Professional Involvement

- Former Member, American Heart Association Board of Directors
- American Bar Association
- Oklahoma Bar Association
- Tulsa County Bar Association
- Cherokee Nation Bar Association
- Muscogee (Creek) Nation Bar Association
- Cheyenne & Arapao Tribes Bar Association
- Pawnee Nation Bar Association
- Former Barrister, American Inns of Court, Johnson-Sontag Chapter
- Advisory Member of Board of Directors for Oklahoma One Call System, Inc.
- Former Member, Campaign for Justice Committee, Legal Aid Services of Oklahoma

Articles & Presentations

- Presentations to the CGA Excavation Conference, Global Excavation Safety Conference, Missouri CGA, Oklahoma Excavation Safety Conference, National Telecommunications Damage Prevention Council and the National Telecommunications Claims Managers Association on investigation and pursuit of claims for damage to underground utility facilities, as well as CLE seminars regarding easements, right-of-way issues and eminent domain.
- Author, "Is My Locate Request Legal?" 2019 Excavation Safety Guide & Directory (2019)
- Co-Author, "Legal Consequences of Damages to Underground Facilities by Horizontal Directional Drilling," *Journal of Professional Issues in Engineering Education and Practices*, Vol. 132, No. 4 (Oct. 2006)
- Author, "The Internet and Personal Jurisdiction," *Facts & Findings: The Journal for Legal Assistants*, Vol. XXVI, Issue 4 (2000)
- Co-Author and Lecturer, "What's My Cable Worth? Recovering Damages for Loss of Use," Third Annual Damage Prevention Convention and Excavation Solutions Expo (2000), Fourth Annual Damage Prevention Convention and Excavation Solutions Expo (2001)

- Co-Author, "Telecommunications Carriers Seek to Reduce Damages by Changing the Fundamental Economics of Dig-Ups," *Underground Focus Magazine* (1999)
- Co-Author and Lecturer, "Reducing Third-Party Damages by Changing the Fundamental Economics of Dig-ups," Second Annual Damage Prevention Convention and Excavation Solutions Expo, Long Beach, California (1999)
- Co-Author and Lecturer, "Effective Discovery Strategies for the Litigation Paralegal in Oklahoma."
- Co-Author and Lecturer, "Evidence for the Litigation Paralegal in Oklahoma."
- Author, "The Mock Trial: What's in it for Me?" Damage Prevention Professional, Vol. 5, No. 1 (Winter 2014)
- Author, "How to Reduce Liability and the Risk of Being Sued," Excavation Safety Guide & Directory, No.12 (2016)
- Author, "Unfolding the Story: Developing Effective Interviewing Techniques, Part 1," Damage Prevention Professional, Vol. 1, No. 1 (Winter 2010)
- Author, "Unfolding the Story: Developing Effective Interviewing Techniques, Part 2," Damage Prevention Professional, Vol. 1, No. 2 (Spring 2010)
- Author, "You the Jury: A Damage Prevention Quiz," Excavation Safety Guide & Directory, No. 11 (2015)
- Author, "What We Have Here is a Failure to Communicate: Anatomy of a Utility Damage Incident," Damage Prevention Professional, Vol. 2, No. 1 (Winter 2011)
- Author, "So You're Going to Be a Witness: Preparing for and Testifying at Trial," Excavation Safety & Directory, No. 8 (2013)