

SEAN W. JAMES

PROFESSIONAL EXPERIENCE

Litigation, Claims and Risk Management

- Managed complex multi-party commercial disputes, including engineering and construction claims, serious personal injury lawsuits and class actions, in courts throughout North America and before the ICC in Paris and London and in the Paris Court of Appeal
- Developed and implemented corporate strategy in mass tort litigation in the United States involving approximately 10,000 separate lawsuits arising out of the rescue, recovery and clean-up efforts at the World Trade Center site
- Negotiated, both personally and through outside counsel, the resolution of numerous large and complex claims and disputes
- Managed the relationship with liability insurers on professional negligence claims and with Export Development Canada on international commercial disputes

Engineering, Construction, and Technology

- Negotiated terms and conditions of and drafted engineering consulting agreements, Engineering, Procurement and Construction and Engineering, Procurement and Construction Management agreements, Design/Build Agreements, and Construction Sub-contracts, Joint Venture and Alliance Agreements
- Advised on the interpretation, implementation and execution of EPC and EPCM Agreements, developed strategies to resolve and assisted in the resolution of issues and differences arising between parties during the execution of the work
- Negotiated the terms of contract closeouts in connection with large industrial, oil sands, pipeline, offshore energy, amusement ride and astronomical telescope design and construction projects

Corporate Acquisitions and Dispositions

- Developed and assisted in the negotiation of commercial terms for the acquisition of businesses
- Negotiated, drafted and closed share and asset purchase agreements, both personally and through outside counsel, in Canada, the US and the UK.
- Prepared letters of intent and expressions of interest
- Assisted in the assessment and evaluation of contingent liabilities and developed contract terms to reduce the commercial risk of litigation in acquisition targets in the UK, US and Canada

- Co-ordinated and conducted due diligence of proposed acquisition targets

Corporate Governance, Human Resources, Ethics and Compliance

- Advised senior corporate management on corporate governance including on the development and implementation of codes of business ethics
- Advised on compliance with corruption of foreign officials legislation in Canada and the US in connection with international commercial transactions
- Directed investigations of suspected breaches of codes of ethics and laws
- Assisted management in the evaluation of contingent liabilities for financial reporting purposes and directed year end claim evaluation audit activities