



James E. Breitenbucher

Partner

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Jim is a seasoned trial lawyer with a national litigation practice concentrated on high-stakes contract disputes, product liability claims, trade secret litigation and corporate governance controversies, including directors and officers (D&O) liability, business divorces, and related valuation and control disputes.

He has tried cases and argued motions in federal and state courts across the country, earning a reputation for tenacious advocacy and meticulous case preparation.

Jim's clients include manufacturers of sophisticated industrial equipment, including automated process control systems deployed in power plants, oil refineries, chemical plants, and other industrial facilities. Before entering the legal profession, Jim worked in a variety of industrial settings, giving him a firsthand understanding of the technical environments at the heart of his clients' cases. That real-world experience enables him to develop case theories that resonate with judges and juries alike, particularly in disputes involving complex technical and engineering issues.

Since 2016, Washington Law & Politics has designated Jim as a "Super Lawyer" in Business Litigation.

Services

- Litigation
- Appellate Practice
- Artificial Intelligence
- Directors' & Officers' Liability & Corporate Governance
- Manufacturing
- Product Liability & Mass Torts

Before Fox Rothschild

Jim originally joined Riddell Williams in 1999, following a two-year clerkship for Chief Judge Faye Kennedy of the Washington Court of Appeals. He practiced with Schulte Roth & Zabel (now McDermott Will & Schulte) in New York City from 2003 until rejoining Riddell Williams in 2007. Riddell Williams merged into Fox Rothschild in 2017.

Jim received his law degree, Order of the Coif, from Washington University School of Law, where he was a Scholar in Law, received the Honor Scholar Award, and served as an editor on law review. He holds a B.A. in Economics from the University of Washington.

Bar Admissions

- Washington
- New York

Court Admissions

- U.S. Supreme Court
- U.S. Court of Appeals, Second Circuit
- U.S. Court of Appeals, Fourth Circuit
- U.S. Court of Appeals, Fifth Circuit
- U.S. Court of Appeals, Seventh Circuit
- U.S. Court of Appeals, Ninth Circuit
- U.S. Court of Appeals, Tenth Circuit
- U.S. District Court, Eastern District of Washington
- U.S. District Court, Western District of Washington
- U.S. District Court, Eastern District of New York
- U.S. District Court, Southern District of New York
- U.S. District Court, Central District of Illinois
- U.S. District Court, District of Colorado

Education

- Washington University in St. Louis (J.D., *Order of the Coif*)
- University of Washington (B.A.)

Honors & Awards

- Recipient, Outstanding Young Lawyer Award, King County Bar Association (2002)
- Selected to the list of “Super Lawyers” for Business Litigation in Washington (2016-2025)

Emerging Technology

Technology is advancing at an ever-increasing pace, presenting businesses with new and challenging risks. Jim leverages his knowledge of this area to lead a Fox team dedicated to helping manufacturers whose products incorporate emerging tech such as artificial intelligence, AR/VR, automation, machine learning and smart devices (Internet of Things/IoT) lower their risk of class action lawsuits. The Emerging Tech group provides strategic advice on:

- Product safety testing and documentation
- Health and safety risk assessments
- Product warnings and instructions (often with outside experts)
- Risk allocation strategies through contracting
- Privacy concerns
- Dispute and litigation avoidance and preparedness measures

For additional detail, visit our [Emerging Tech: AI, AR/VR, IoT, Automation](#) group page.

Contract and Product Liability Disputes

- Obtained \$18.3 million jury verdict in Los Angeles federal court on behalf of iSpot in breach of contract case against EDO.
- Defended **automated control system** manufacturer against allegations that a control logic programming error damaged a steam turbine generator. Obtained summary judgment based upon our client fulfilling its contractual obligations and the Economic Loss Rule. Successfully defended trial court's decision in the Fifth Circuit Court of Appeals.
- Defended **automated control system** manufacturer against allegations in subrogation action that client's control system failed to prevent the manual opening of a valve that resulted in an explosion and \$1 billion insurance payout. Obtained dismissal without any settlement payment.

- Defended **audio recording equipment** manufacturer against breach of warranty and consumer fraud allegations. Successfully defended trial court's dismissal of all claims in the Second Circuit Court of Appeals.
- Defended **PID temperature controller manufacturer** against allegations that product started fire that caused \$25 million in damages to food processing plant. Obtained summary judgment in favor of our client based on plaintiff's inability to prove a product defect.
- Defended **HVAC compressor manufacturer** against allegations of a product defect. After moving for summary judgment, the other parties in the lawsuit reached a settlement and all claims against our client were dismissed.
- Advised **major software company** regarding risk mitigation strategies for selling operating system as embedded software for third-party products.
- Defended **industrial valve manufacturer** against allegations that it supplied a valve with the wrong metallurgy for the plaintiff's application and therefore was responsible for over \$100 million in damages resulting from a large oil refinery fire. Obtained summary judgment in favor of our client based on plaintiff's inability to prove a product defect or breach of duty. Successfully defended trial court's decision in the Tenth Circuit Court of Appeals.
- Defended **HVAC compressor manufacturer** against allegations of a product defect and breach of warranty. Obtained dismissal of all claims in the trial court.
- Represented **international paper manufacturer** as co-lead counsel in multimillion-dollar dispute over defects in the construction of a boiler for a biomass co-gen power generation plant.
- Represented purchaser of **plastics extrusion business** against the sellers to recover from post-closing damages caused a plant explosion. After an arbitration hearing in Milan, Italy, resolved the matter on favorable terms.
- Defended **video game console** against product defect allegations.
- Defended **luxury boat manufacturer** against breach of warranty allegations.

Non-Compete Litigation

- Defended a **mortgage lender** sued for hiring an employee subject to non-compete and non-solicitation agreements. After successfully opposing the entry of any injunctive relief, resolved the matter on favorable terms.
- Represented a **technology company** to enforce former employee's non-compete and non-solicitation agreements. After successfully obtaining injunctive relief, the defendant's new employer terminated his employment.
- Represented a **medical device manufacturer** to enforce former president's non-solicitation agreement.
- Defended an **insurance broker** sued for hiring an employee subject to non-compete and non-solicitation agreements. After successfully opposing the entry of any injunctive relief, resolved the matter on favorable terms.

Real Estate Disputes

- Defended billion-dollar **mixed used development project** against breach of contract and accounting claims by one of the project's co-investors.
- Represented a **private electric utility** as lead defense counsel in validating its utility easements through a former railroad corridor that had been "railbanked" under the federal Rails-to-Trails Act. Successfully defended trial court's decision in the Ninth Circuit Court of Appeals.
- Represented landlords and tenants in **commercial lease disputes**.

Other Commercial Disputes

- Defended a **private equity fund** and its principals as defense counsel during four-week trial that resulted in a defense verdict that was upheld on appeal.
- Represented a **consumer lender** as lead defense counsel in an administrative hearing over charges brought by the Washington Department of Financial Institutions. The hearing resulted in DFI withdrawing certain charges before the matter was settled.
- Defended a **national mortgage lender** as lead counsel in lawsuit alleging fraud and CPA violations.

Reported Decisions

- iSpot.TV, Inc. v. Teyfukova*, No. 2:21-CV-06815-MEMF-MAR, 2025 WL 3306411 (C.D. Cal. Nov. 24, 2025).
- iSpot.TV, Inc. v. Teyfukova*, No. 2:21-CV-06815-MEMF-MAR, 2025 WL 2264484 (C.D. Cal. June 2, 2025).
- iSpot.TV, Inc. v. Teyfukova*, No. 2:21-CV-06815-MEMF-MAR, 2025 WL 2994724 (C.D. Cal. Feb. 27, 2025).
- iSpot.TV, Inc. v. Teyfukova*, No. 2:21-CV-06815-MEMF-MAR, 2025 WL 2994727 (C.D. Cal. Jan. 9, 2025).
- Berry v. Boeing Co.*, No. 2:24-CV-0134-RSM, 2024 WL 3042833 (W.D. Wash. June 18, 2024).
- iSpot.TV, Inc. v. Teyfukova*, No. 2:21-CV-6815-MEMF (MAR), 2024 WL 3468753 (C.D. Cal. May 23, 2024).
- Beach Forwarders, Inc. v. Service By Air, Inc.*, 76 F.4th 610 (7th Cir. 2023).
- City of Leavenworth v. Projekt Bayern Ass'n*, No. 2:22-CV-0174-TOR, 2023 WL 2354906 (E.D. Wash. Mar. 3, 2023).
- Starr Indemnity & Liability Co. v. PC Collections, LLC*, 25 Wash. App. 2d 382, 523 P.3d 805, 808 (2023).
- City of Leavenworth v. Projekt Bayern Ass'n*, No. 2:22-CV-0174-TOR, 2022 WL 4546550 (E.D. Wash. Sept. 28, 2022).
- Burchett v. Team Indus. Servs., Inc.*, No. 18-2584-JWB-KGG, 2021 WL 3362983 (D. Kan. Aug. 3, 2021).
- Lexington v. InSinkErator*, No. 3:20-CV-1370-AC, 2021 WL 3008262 (D. Or. July 15, 2021).
- Sinclair Wyoming Ref. Co. v. A & B Builders, Ltd.*, 989 F.3d 747 (10th Cir. 2021).
- Kay v. Lavry Engineering, Inc.*, 834 F. App'x 655 (2d Cir. 2021).
- Level at 401 LP v. First Co.*, No. 5:20-CV-00085-M, 2020 WL 4085226 (E.D.N.C. July 20, 2020).
- Lexington Ins. Co. v. InSinkErator*, 3:19-CV-00250-AC, 2020 WL 2747226 (D. Or. May 27, 2020).
- Kay v. Lavry Engineering, Inc.*, No. 1:19-CV-0 5059(ALC), 2020 WL 2415661 (S.D.N.Y. May 12, 2020).
- Golden Spread Elec. Coop., Inc. v. Emerson Process Mgmt. Power & Water Solutions, Inc.*, 954 F.3d 804 (5th Cir. 2020).
- Golden Spread Elec. Coop., Inc. v. Emerson Process Mgmt. Power & Water Solutions, Inc.*, 360 F. Supp. 3d 494 (N.D. Tex. 2019).
- Radiant Glob. Logistics, Inc. v. Drummond*, No. C18-1063JLR, 2018 WL 5276581 (W.D. Wash. Oct. 24, 2018).
- Hornish v. King County*, 899 F.3d 680 (9th Cir. 2018), cert. denied.
- Kaseburg v. Port of Seattle*, 744 Fed. Appx. 356 (9th Cir. 2018), cert. denied.
- Kaseburg v. Port of Seattle*, No. C14-0784 JCC, 2016 WL 1046092, at *1 (W.D. Wash. Mar. 16, 2016).
- Ioppolo v. Port of Seattle*, No. C15-0358-JCC, 2015 WL 5315936 (W.D. Wash. Sept. 11, 2015).
- Filo Foods, LLC v. City of Seatac*, No. 89723-9, 2015 WL 4943967 (Wash. Aug. 20, 2015).
- Bridgemans Servs. Ltd. v. George Hancock, Inc.*, No. C14-1714JLR, 2015 WL 4724567, at *1 (W.D. Wash. Aug. 7, 2015).

Factory Sales & Eng'g, Inc. v. Nippon Paper Industries USA Co., No. 3:14-CV-05899, 2015 WL 4094447 (W.D. Wash. July 7, 2015).

Kaseburg v. Port of Seattle, No. C14-0784-JCC, 2014 WL 6901760, at *1 (W.D. Wash. Dec. 5, 2014).

Onvia, Inc. v. Fuca, No. C14-0760RSL, 2014 WL 12674279 (W.D. Wash. May 22, 2014).

People v. Superior Court, 224 Cal. App. 4th 33, 168 Cal. Rptr. 3d 286 (2014), reh'g denied (Mar. 17, 2014), review denied (June 18, 2014).

National City Bank v. Prime Lending, Inc., 737 F. Supp. 2d 1257 (E.D. Wash. 2010).

A. O. Smith Corp. v. Emerson Elec. Co., No. 4:11CV1117 TIA, 2012 WL 5308049 (E.D. Mo. Oct. 26, 2012).

Robertshaw Controls Co. v. Therm-O-Disc, Inc., 2009 WL 4043083 (N.D. Ill. Nov. 20, 2009).

Broquet v. Microsoft Corp., 2008 WL 2965074 (S.D. Tex. July 30, 2008).

Syndicated Communication Venture Partners IV v. BayStar Capital, 51 A.D.3d 546, 859 N.Y.S.2d 125 (N.Y. App. Div. 2008).

In re Manhattan Investment Fund Ltd., 397 B.R. 1 (S.D.N.Y. 2007).

In re Bayou Hedge Fund Litigation, 534 F. Supp. 2d 405 (S.D.N.Y. July 31, 2007).

In re Bayou Hedge Fund Investment Litigation, 472 F. Supp. 2d 534 (S.D.N.Y. Jan 19, 2007).

Panatrol Corp. v. Emerson Electric Co., 163 S.W.3d 182 (Tex. App. 2005).

World Skating Federation v. International Skating Union, 357 F. Supp. 2d 661 (S.D.N.Y. 2005).

Cipriani Fifth Avenue, LLC v. RCPI Landmark Properties, 782 N.Y.S.2d 522 (N.Y. Sup. 2004).

Panatrol Corp. v. Emerson Elec. Co., 147 S.W.3d 518 (Tex. App. 2004).

State Farm Fire & Cas. Co. v. White-Rodgers Corp., 77 P.3d 729 (Alaska 2003).

Solar Systems and Peripherals, Inc. v. Solarcom Holdings, 44 Fed. Appx. 186 (9th Cir. 2002).