

Top Lawyers

Need a good attorney? Central Ohio has plenty to choose from, in a wide variety of practice areas.

James E. Arnold Profiled in Columbus C.E.O. *Top Lawyers* Edition



James E. Arnold, Attorney
James E. Arnold & Associates, LPA



Education

Undergraduate: Ohio State University, Bachelor of Science in Business Administration, 1979

Law school: Capital University Law School, Juris Doctor (cum laude), 1987

Associations:

Fellow, American College of Trial Lawyers; Trustee, Columbus Bar Associations; Franklin County Trial Lawyers Association

Practice areas:

I represent both plaintiffs and defendants in business litigation, including class actions, securities, real estate, probate and general commercial litigation. I also represent plaintiffs in catastrophic injury or death claims.

Types of clients represented:

Representative clients include Abercrombie & Fitch, Dominion Homes, Inc., NCAA, Prosper Business Development and numerous individuals.

Previous jobs:

Vorys, Sater, Seymour & Pease, 1987–2000 (Partner 1995–2000); Clark, Perdue, Arnold & Scott Company, LPA, 2000–2008 (Partner 2000–2008)

Family:

Married to Mitzi Arnold with four children: Joey, Robert, James and Tyler

Top two notable cases:

One of the top two business cases in which I have been involved would be *Rudawsky v. Dominion Homes, Inc.*, in which we represented Dominion Homes. This was a putative class action case involving several thousand purported claimants. We successfully defeated the plaintiffs' request for class certification and the case was dismissed.

Another notable case would include *Prosper Business Development v. Marketstar*. We

represented Prosper because of Marketstar's failure to honor the terms of a confidentiality agreement between Prosper and Marketstar. Prosper introduced Marketstar to opportunities in China, which, if consummated, should have resulted in compensation to Prosper. Marketstar, however, passed the confidential information to its parent, Omnicom (a global conglomerate), which then struck a deal with Chinese entities and Prosper was cut out. After a one-week arbitration, Prosper was awarded several million dollars.

AV-rated since:

Martindale-Hubbell first rated me 15 years ago.

What's more challenging: acting as plaintiffs' or defense counsel?

They are both challenging, just in different ways. When acting as plaintiffs' counsel, the biggest challenge is to move the case forward as quickly as possible because, generally speaking, delay usually benefits the defense (witnesses move and evidence can be lost). On the other hand, the only way a plaintiff obtains relief is a firm trial date—that serves as a deadline for either settling the case or going to trial. As defense counsel, the biggest challenges include overcoming sympathy factors, and, more recently, a growing distrust of corporate management and agendas.

How has Ohio's push for tort reform affected class action cases?

Tort reform has had little effect on cases that should truly be class action cases. Such cases typically have smaller values, and must be brought as a group in a class setting because no one individual would bring his or her case without the economies of scale a class action is intended to

provide. As a consequence, most meritorious class action cases (the operative term being "meritorious") have been unaffected by tort reform.

How do you measure success?

I measure success by whether or not one achieves success repeatedly. Anyone can achieve a good result once or even twice, whether as plaintiffs' or defense counsel. The true measure of success for a trial lawyer is whether he or she can consistently and repetitively obtain favourable results.

What should a client consider when choosing an attorney?

There are multiple considerations. First and foremost: Is the attorney experienced in the subject matter? Of course there are excellent lawyers who may be inexperienced in a particular subject and can learn it along the way, but that isn't advisable in all cases.

Second, does the attorney have the resources to handle a particular matter? The skill and experience of support lawyers and staff can matter as much as any lawyer's own skill.

Third, I believe compatibility is important. Most cases take two or three years to come to an end, and an attorney and client must work together during that time. Working together requires your lawyer to communicate frequently with the client and the client assisting the lawyer with his or her case. Otherwise, that two or three years can be a very, very long time.