



JAMES D. TAYLOR, JR.

PARTNER

Wilmington
1201 North Market Street
Suite 2300
Wilmington, DE 19801

Phone number: (302) 421-6863
Fax number: (302) 421-5878
james.taylor@saul.com

SERVICES

Corporate Governance
Campus Investigations Team
Labor and Employment
Appellate
Litigation
Commercial Litigation

INDUSTRIES

K-12 Schools
Charter Schools
Higher Education

Jim Taylor is a trial lawyer with first-chair experience handling complex litigation in federal and state courts. A significant portion of his practice uses that litigation experience and perspective to counsel clients in managing high-profile crises, minimizing financial and reputational risks, creating policies and procedures to protect against those risks and identifying issues that have the potential to escalate into costly and time-consuming lawsuits. His experience prior to becoming a lawyer, as a staff assistant to the late U.S. Sen. William V. Roth, Jr. and with the U.S. Senate Permanent Subcommittee on Investigations, helps him to advise clients on how government policies affect their industries and how to navigate layers of regulation and oversight.

EXPERIENCE

Higher Education Compliance and Litigation

Jim is co-chair of Saul Ewing Arnstein & Lehr's Higher Education Practice and represents colleges and universities nationwide. He has been lead counsel in several lawsuits brought by students alleging a violation of Title IX, has provided training on Title IX and VAWA compliance, revised and been consulted on related policies and assisted institutions in responding to investigations by the Office for Civil Rights for the U.S. Department of Education. Jim has also been lead counsel on matters involving student death, hazing, assaults and student or student group (including fraternity and sorority) discipline. Select representative matters include:

- Lead counsel to a university in defense of a lawsuit brought by a female student alleging violations of Title IX for the university's alleged failure to respond to her claim that a male student sexually assaulted her. After extensive discovery and submission of mediation statements, and just a few days before court-mandated mediation, the plaintiff dismissed the case with prejudice and with no settlement.

- Lead counsel to a university in defense of a lawsuit brought by a male student alleging violations of Title IX for the university's alleged failure to provide due process and follow its policies and procedures in handling a student disciplinary matter. Jim defeated a motion for a temporary restraining order and thereafter the matter settled.
 - Trial counsel to a university in a large commercial dispute arising from the unsuccessful development of a \$1.3 billion data center and power plant as part of the redevelopment of a former auto manufacturing plant into a science and technology campus. The Complaint alleges that plaintiff is seeking at least \$200 million.
 - Obtained summary judgment in a lawsuit brought by a university student athlete alleging retaliation and other claims because of loss of a Division I scholarship.
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Charter Schools

Jim's insight on educational issues also extends to Delaware's public charter schools, including serving as outside "general counsel" to nearly all of those approved to operate in Delaware, to the state's umbrella charter school organization from its inception, and to several organizations formed to assist charter schools in obtaining financing and services not otherwise available to them. In recognition of that service, Jim was appointed by Delaware Gov. Jack Markell to represent the charter school interests on a working group studying the state government's funding mechanisms for universities and charter schools.

Labor and Employment

Jim has been ranked since 2011 by *Chambers USA* for his leading labor and employment work in Delaware. He regularly counsels employers on matters including gender and age discrimination, disability and accessibility, wrongful termination and defamation in employment. In the higher education industry, his experience extends to promotion and tenure disputes, faculty grievances, retaliation and discrimination claims and the myriad other issues facing colleges and universities. Select representative matters include:

- Obtained summary judgment against a former university department chair who sued claiming dismissal from the university was in retaliation for an allegation of sexual harassment lodged against a dean.
 - Obtained summary judgment against a former university faculty member who sued after being denied promotion and alleged due process and First Amendment violations.
 - Lead counsel in a faculty union grievance conducted pursuant to the collective bargaining agreement between the university and the AAUP.
 - Advised a university in the mid-West about faculty discipline and potential defamation claims.
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Complex Litigation for Corporate and Alternative Entities

His trial experience is not limited to the education arena. In addition to his core practice areas, Jim handles complex litigation for Delaware corporations and

alternative entities. Select representative matters include:

- Represented the owners of Delaware corporations and alternative entities in several disputes over entity control.
 - Represented a party to an LLC operating agreement in a case asserting breach of the implied covenant of good faith and fair dealing.
 - Represented those defending claims of breach of fiduciary duty and wrongful dissolution of a Delaware corporation.
 - Represented parties in Section 220 books and records actions and similar proceedings brought under Delaware's alternative entity laws.
 - Represented stockholders in a freeze-out merger who challenged the terms of the proposed merger.
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HONORS

Named one of "America's Leading Lawyers in Labor and Employment Law" by *Chambers USA*, 2011 to present

MEMBERSHIPS AND AFFILIATIONS

Board of Governors, Delaware State Chamber of Commerce

Court appointed *guardian ad litem*, Delaware Office of Child Advocate

National Association of College and University Attorneys

Delaware Bar Association

Federal Bar Association

Elected Member, Red Clay School District Board of Education, 1999 to 2005

EDUCATION

J.D., Villanova University School of Law, 2000, *cum laude*

- Associate Editor, *Villanova Law Review*

B.A., University of Delaware, 1997

BAR ADMISSION

Delaware

FIRM MANAGEMENT POSITIONS

Wilmington Office Managing Partner

Higher Education, Co-Chair

Evaluation Committee