



James B. Saylor

Partner

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About

James Saylor has managed complex litigations and arbitration for a diverse breadth of firm clients, including national brick and mortar and online retailers, internationally-recognized brands, tech startups, entertainment companies, and international contractors, among many others.

A substantial portion of James' practice involves the defense of consumer class actions under various state and federal laws regulating deceptive trade practices and telemarketing. James has provided counseling to major corporations facing issues in advertising and represented such corporations before private regulatory bodies.

James has provided solutions that have led to favorable outcomes for firm clients at all stages of the adversarial process from informal dispute resolution and early motion practice to discovery, class decertification, summary judgment, trial, and appeal.

Experience

Litigation

Obtained pre-answer dismissal of two putative false advertising class actions related to pima cotton in the Southern District of New York against our client, an American publicly traded fashion company.

Obtained dismissal with prejudice of class action seeking damages arising out of disruptions to an international art fair in 2020. In 2021, the Second Circuit affirmed the dismissal of the suit.

Represented an international contractor in claims related to deficient performance of a billion dollar, cutting edge renewable energy project. Managed expert and fact witnesses in complex international arbitration proceedings with the project owner, which resulted in a favorable settlement. Presently managing collateral litigations and arbitrations arising out of the project with third parties.

Defended a sports and entertainment representation firm in the Southern District of New York against claims of copyright infringement and breach of contract relating to a children's television series featuring star quarterback Cam Newton. Arbitration of claims raised initially in the Southern District of New York resulted in a complete victory for the client after a 5-day hearing and the lawsuit was dismissed.

Member of an appellate team that in 2018 obtained an order affirming the District Court's denial of class certification in a telemarketing lawsuit. In 2019, the Seventh Circuit denied the appellant's petition for rehearing *en banc*.

Member of a team that secured dismissal of a consumer class action lawsuit involving alleged claims of violation of California's false advertising and unfair competition laws in connection with the release of one of the most hotly anticipated video game releases in history. In 2018, the Ninth Circuit affirmed the dismissal of the suit.

Represented leading video game and software development company in class action alleging deceptive practices with respect to in-game purchases.

Obtained full dismissal with prejudice of consumer class action claims alleging deceptive pricing by major national retailer. In 2017, the First Circuit affirmed the dismissal of the suit.

Obtained dismissal with prejudice of all class claims in consumer class action alleging deceptive pricing by emerging online retailer with a multi-billion dollar valuation. In 2017, the Sixth Circuit affirmed the dismissal of the plaintiff's class allegations and the remaining individual claim was settled.

Managed all electronic discovery and litigated multi-state class action through class certification briefing on behalf of leading sports equipment manufacturer, leading to individual, non-class settlement.

Member of the team that represented the largest privately held spirits company in the world as a defendant in a complex commercial/IP dispute involving a multi-year, multi-million dollar exclusive marketing agreement with a major sports franchise. After extensive discovery and prevailing on numerous discovery motions, successfully negotiated a settlement.

Representing clients in all stages of litigation through trial in private and governmental actions brought pursuant to the Telephone Consumer Protection Act (TCPA) and Telemarketing Sales Rule.

Representing clients in advertising dispute between major telecommunications companies in private dispute resolution.

Representing federal criminal defendant in the Southern District of New York.

Part of team representing federal defendant in Racketeer Influenced and Corrupt Organizations Act (RICO) case involving dozens of alleged organizational members.

Labor and Employment

Representing clients in class claims under the Fair Labor Standards Act. Opposing counsel's potential class was severely undercut by a favorable settlement with hundreds of employees through the Department of Labor, followed by a successful mediation of claims remaining in both arbitration and federal court.

Representation of major New York hospitals, nursing homes, and pharmacies against claims of discrimination based upon age, race and disability.

Pro Bono

Obtained asylum for Tibetan political and religious refugee, secured travel documents to visit family

members in foreign jurisdictions for that refugee, and currently assisting in the administration of post-asylum benefits and application for permanent residency.

Honors

Recommended in the *U.S. Legal 500* for his work in the Product Liability, Mass Tort and Class Action: Consumer Products area, 2023-2026 and Advertising & Marketing Litigation, 2025

Named to *Benchmark Litigation's* 2024 and 2026 "40 and Under List"

Related Services

ADA Website Accessibility
Advertising and Marketing
Commercial Litigation
Consumer Class Action Defense
Employee Benefits and Executive Compensation
Employment Litigation
Litigation
Make America Healthy Again (MAHA) and Ultra-Processed Foods (UPFs)
Telephone Consumer Protection Act (TCPA) Defense

Education

Fordham University School of Law, J.D.

- magna cum laude
 - Order of the Coif; Fordham Law Review, associate editor; Fordham Law Moot Court Program, editor
- Boston University, B.A.
- magna cum laude

Admissions

New York

Courts

U.S. Court of Appeals–First Circuit
U.S. Court of Appeals–Second Circuit
U.S. Court of Appeals–Sixth 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–Southern District of New York
U.S. District Court–Eastern District of New York
U.S. District Court–Northern District of Illinois
U.S. District Court–Eastern District of Michigan
U.S. District Court–Eastern District of Wisconsin
U.S. District Court–Western District of Wisconsin
U.S. District Court–Northern District of Ohio