



## James “Jim” J. Proszek

### Of Counsel

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Jim Proszek practices primarily in the Corporate/Commercial Litigation and Telecommunications Law areas. He also has extensive experience in the following: Landlord/Tenant Law; Condemnation/Eminent Domain; Right-of-Way Acquisition & Disputes; Mortgage Foreclosure; Representation of Tribal Housing Authorities; Litigation involving Indian Law issues; and Appellate Advocacy. He is an AV-rated attorney through Martindale-Hubbell and was selected a Best Lawyer in America in Communications Law. In addition, he is a recipient of the 2010 Oklahoma Bar Association Pro Bono Award, the 2015-2016 Tulsa County Bar Association President's Award and was recognized as one of 23 individuals receiving a 2016 Pro Bono Legal Service Award through the Tulsa County Bar Association.

Jim is a frequent speaker on Telecommunications Law issues, including presentations to the National Telecommunications Damage Prevention Council and the National Telecommunications Claims Managers Association on investigation and pursuit of claims for damage to underground utility facilities. Highlights of his legal career include:

- Won \$375,000 jury verdict for a telecommunications company in underground utility damage case.
- Won \$109,000 court judgment for a telecommunications company in underground utility damages case.
- Negotiated settlements in excess of one-half million dollars in underground utility damage cases.
- Represented oil and gas pipeline companies and telecommunications companies in eminent domain proceedings and right-of-way disputes in a multitude of states.
- Has argued cases before the Oklahoma and Florida and Virginia Supreme Courts, and the D.C., Fourth, Ninth, Tenth and Eleventh U.S. Circuit Courts of Appeal

In 2018, Jim was presented the Founder's Award by NALA, the leading paralegal

organization in the U.S. This award is the highest award presented by the organization and recognizes extraordinary or outstanding contributions to the growth and future of the paralegal profession, which has impacted or affected the paralegal profession in a positive manner for a significant period of time.

## Education

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- University of Tulsa College of Law (J.D., 1983)
- University of Tulsa (B.S. in Sociology, 1975)

## Admissions

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- Bars of the Cherokee Nation, Creek Nation, Cheyenne & Arapaho Tribes and Pawnee Nation
- Oklahoma, 1983
- Oklahoma Supreme Court
- U.S. District Court for the Northern, Eastern and Western Districts of Oklahoma
- U.S. District Court for the Central, Northern and Southern Districts of Illinois
- U.S. District Court for the Northern District of Florida
- U.S. Courts of Appeals for the D.C., Second, Fourth, Fifth, Ninth, Tenth and Eleventh Circuits

## Practices

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- Appellate
- Corporate Services
- Government Contracts & Relations
- Indian Law
- Insurance Law & Tort Litigation
- Litigation
- Telecommunications

## Legal Experience

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- 1998 - Present Hall Estill
- 1996 - 1998 Gourley & Proszek, PLLC
- 1983 - 1995 Hall Estill

## Specialty Areas

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- Representation of Tribal Housing Authorities
- Litigation involving Indian Law issues
- Condemnation/Eminent Domain
- Landlord/Tenant
- Mortgage Foreclosure

- Appellate Advocacy
- Right-of-Way Acquisition & Disputes

## Professional Involvement

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- American Bar Association
- Oklahoma Bar Association
- Tulsa County Bar Association, Pro Bono Committee Member
- American Inns of Court, Johnson-Sontag Chapter - Barrister
- Ad Hoc Member of Board of Directors for Oklahoma One Call System, Inc.
- Former Member, Campaign for Justice Committee, Legal Aid Services of Oklahoma

## Community Involvement

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- Former Member, American Heart Association Board of Directors

## Teaching/Lecture Experience

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- Presentations to the National Telecommunications Damage Prevention Council and the National Telecommunications Claims Managers Association on investigation and pursuit of claims for damage to underground utility facilities
- Co-Author, "Legal Consequences of Damages to Underground Facilities by Horizontal Directional Drilling," *Journal of Professional Issues in Engineering Education and Practices*, Vol. 132, No. 4 (Oct. 2006)
- Author, "The Internet and Personal Jurisdiction," *Facts & Findings: The Journal for Legal Assistants*, Vol. XXVI, Issue 4 (2000)
- Co-Author and Lecturer, "What's My Cable Worth? Recovering Damages for Loss of Use," Third Annual Damage Prevention Convention and Excavation Solutions Expo (2000), Fourth Annual Damage Prevention Convention and Excavation Solutions Expo (2001)
- Co-Author, "Telecommunications Carriers Seek to Reduce Damages by Changing the Fundamental Economics of Dig-Ups," *Underground Focus Magazine* (1999)
- Co-Author and Lecturer, "Reducing Third-Party Damages by Changing the Fundamental Economics of Dig-ups," Second Annual Damage Prevention Convention and Excavation Solutions Expo, Long Beach, California (1999)
- Co-Author and Lecturer, "Effective Discovery Strategies for the Litigation Paralegal in Oklahoma."
- Co-Author and Lecturer, "Evidence for the Litigation Paralegal in Oklahoma."

## Published Articles

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- Oklahoma Telecommunications Law Attorney Jim Proszek Article for DP Pro - Information for the Underground Utility Industry

- Is My Locate Request Legal? - Telecommunications Attorney Jim Proszek
- Jim Proszek Writes Article for 2018 Locate Magazine
- Jim Proszek Pens Article for 2018 issue of the Excavation Safety Guide & Directory
- Jim Proszek Pens Article for Excavation Safety Guide
- Jim Proszek Authors Piece for Excavation Safety Guide & Directory
- Jim Proszek pens two articles for summer 2014 edition of *Damage Prevention Professional* magazine
- Jim Proszek authors article for *Damage Prevention Professional* magazine
- Jim Proszek writes article for the 2013 Excavation Guide & Directory
- What We Have Here is a Failure to Communicate