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James C. Hyde's practice focuses on tort litigation defense with particular emphasis on catastrophic injury claims, products liability, construction site accidents, and commercial torts. He has also defended actions involving employment practices, first amendment rights, health care professionals, skilled nursing facilities and elder abuse issues.

Born in San Diego, California, he majored in accounting at San Jose State University where he received his undergraduate degree in 1976 with honors.

He graduated *magna cum laude* from Santa Clara University School of Law in 1979 and was admitted to the California Bar that year. He has successfully tried cases in State and Federal Courts throughout central and northern California.

Mr. Hyde was elected to the American Board of Trial Advocates (ABOTA) in 1995. He has served as a director and is a member of the Northern California Association of Defense Counsel. His professional memberships include the Association of Ski Defense Attorneys, and the Santa Clara County Bar Association. He has lectured on a variety of topics for the California Continuing Education of the Bar program and frequently serves as an arbitrator. Mr. Hyde also served on the board of directors of the Boys and Girls Club of Santa Cruz County.

Practice Areas

- ▣ Catastrophic/Personal Injury
- ▣ Elder Abuse/Rights
- ▣ Employment Litigation and Dispute Resolution
- ▣ Product Liability
- ▣ Professional Liability
- ▣ Toxic Tort

Education

- ▣ San Jose State University, 1976 B.S.
- ▣ Santa Clara University School of Law, 1979 J.D.
magna cum laude

Court Admissions

- California
- USDC: Central District of California
- USDC: Eastern District of California
- USDC: Northern District of California

Memberships & Associations

- American Board of Trial Advocates (ABOTA)
- Association of Ski Defense Attorneys (ASDA)
- Santa Clara County Bar Association

Representative Experience

Practice Area: Copyright, Domain Name and Trademark Litigation, Intellectual Property

Key Issues: Copyright Infringement

Venue: USDC: Northern District of California

Client Type: Defendant Corporation

Copyright infringement related to use of refurbished semi-conductor equipment of SVG parts/products.

Result:

Negotiated favorable settlement and future business arrangement for client.

Practice Area: Construction

Key Issues: Personal Injury; General Contractor's Affirmative Conduct

Venue: San Francisco County Superior Court

Client Type: General Contractor, Defendant

Defended general contractor in a personal injury action whereby plaintiff employee of subcontractor alleged that injuries sustained were due to general contractor's affirmative conduct.

Result:

Successfully obtained complete summary judgment on behalf of general contractor. Court also awarded recovery of taxable costs to defendant to be paid by plaintiff.

Practice Area: Catastrophic/Personal Injury

Key Issues: Negligence, Personal injury

Venue: Alameda County Superior Court

Client Type: Defendant, Software Company

Plaintiff, a journeyman electrician, worked for an independent electrical contracting company. The company had been providing on-site electrical services at Defendant's Milpitas site for many years. Plaintiff was working with his co-worker and fellow journeyman electrician on replacing a damaged circuit breaker in an energized 3000 amp distribution panel. Plaintiff's partner was using an uninsulated screwdriver that came in contact with a copper bussing resulting in an arc flash explosion that severely injured plaintiff. Plaintiff claimed failure of proper

maintenance and negligence. He further claimed that under the multiple employer workplace doctrine he was a statutory employee of defendant and that defendant was negligent per se for violation of various electrical safety orders.

Result:

The jury returned a defense verdict after four and one-half hours, rejecting both the negligence and employer/negligence per se theories.

Plaintiff's settlement demand prior to trial was \$7.5 million. The demand was reduced to \$4.2 million following the cross-examination of plaintiff's liability expert. Defendant made a \$400,000 statutory offer to compromise prior to trial.