



James M. Graziano

Partner

Condemnation & Eminent Domain /
Environmental Law

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Overview

Jim is Co-Chair of Archer's Condemnation and Eminent Domain Practice. An accomplished trial lawyer, Jim handles all aspects of complex litigation in an array of cases in areas that include condemnation law, natural gas utility law, redevelopment law, environmental law, class actions, mass torts, regulatory investigations, contract disputes, commercial litigation, and employment law.

Unique in that he represents both sides of the issues in all matters, Jim is sensitive to the issues confronting property owners and skilled at ensuring that government entities and other condemnors comply with the complex web of rules and requirements to acquire land. He has represented property owners related to a number of complex valuation issues, obtaining significant increase in compensation over the original offers. Jim has also represented multiple pipeline companies in condemnation proceedings pursuant to the Natural Gas Act. In addition, Jim has represented multiple municipalities in acquiring property via eminent domain for public projects. He has also represented governmental authorities in condemnation proceedings pursuant to the New Jersey Urban Redevelopment Act and the Abandoned Properties Rehabilitation Act involving numerous properties for large-scale urban redevelopment project.

As a second-generation lawyer, Jim has an instinct for evaluating risk accurately and shaping creative strategies to defend his clients' interests with increased efficiency. His ability to see both sides of the issue makes him effective both at advocating for clients and resolving issues when possible. Representing clients throughout the country, Jim conducts trials, argues motions, pursues discovery, conducts depositions, performs investigations and participates in alternative dispute resolution processes. In every instance, Jim's primary concern is learning what is most important to his clients, and understanding their needs and goals. A results-oriented attorney, Jim works with his clients to analyze their claims or defenses, apply sound legal principals, and determine the best

way to proceed, whether it be early attempts to settle or formulating a litigation strategy that both maximizes recovery, while minimizing risks, costs and expenses.

Clients enjoy working with Jim. In all his cases, Jim believes that clear and prompt communication and making the client an engaged part of the team is the key to success. He works hard to ensure that his clients feel heard and their needs are properly met. Working with Jim, a client will never wonder what is going on with their case. He knows the importance of sharing his knowledge and experience in a way that ensures his clients are comfortable and informed at every stage.

Representative Experience

- Represented pipeline company regarding acquisition of over 600 properties for project, including litigating and advising on strategy for a constitutional matter of first impression that was decided in the company's favor by the United States Supreme Court.
- Represented a redevelopment agency in condemnation proceedings successfully defeating a motion to increase the amount paid for the property in the trial court and on appeal.
- Represented utility company with regard to condemnation matter to secure existing facility whose lease had expired.
- Representing transportation authority in condemnation proceedings for large improvement project.
- Represented petroleum company in condemnation proceedings to obtain easements and permanent rights of way.
- Represented private landholder in inverse condemnation action due to a change in regulations.
- Represented a large former manufacturer through trial in a mass toxic tort action alleging toxic exposure to lead due to a former smelter Represented several entities in a class action involving exposure to a variety of toxic chemicals in drinking water.
- Represented a large telecommunications company in investigating and litigating claims that several companies were trafficking in counterfeit products bearing the company's trademarks.
- Represented national company in action involving legality of registration fees in regard to vacant and abandoned properties.
- Argued Juvenile Notification Law case before the New Jersey Supreme Court.



Professional and Community Involvement

- Executive Board Member, Marlton Recreation Council (Marlton, NJ)
- Advisory Committee Member, New Jersey Division of Alcoholic Beverage Control
- General Manager, Lenape Ball Hockey Team

Select Articles

- “Avoiding Costly Litigation — How Utilities Should Approach Property Owners When Seeking to Acquire Land,” *Power* (September 2022)
- “PennEast Can Take NJ Land For \$1B Pipeline, Judge Says,” *Law360* (December 2018)
- “New Jersey Eminent Domain Law in 2019: Reasonable Necessity, Public Purpose, and the Foreseeable Future” (November 2019)
- “Practitioner Insights: Impact of Settlements on CERCLA Actions,” *Bloomberg BNA* (September 2017)

Select Speaking Engagements and Seminars

- “CERCLA Contribution Claims: Guidance and Litigation Strategies for Environmental Lawyers,” NJICLE Webinar (January 2018)

In the News

- “N.J. Breweries are Fighting Rules They Say are Holding Them Back,” *The Philadelphia Inquirer* (November 2022)

Recognitions

- Named to New Jersey “Super Lawyers Rising Stars” list for Environmental Litigation (2013, 2014)

Click [here](#) for methodology.

*No aspect of this advertisement has been approved by the Supreme Court of New Jersey.

Credentials

Education

- Rutgers University School of Law, JD
- Duke University, BA

Admissions



- Colorado
- Michigan
- New Jersey
- U.S. Court of Appeals for the Third Circuit

Offices

- Voorhees, NJ

Areas of Focus

Practice

- Appellate Practice
- Business Litigation
- Condemnation & Eminent Domain
- Energy & Utilities
- Environmental Law
- Environmental Litigation
- Land Use
- Permitting & Regulatory Compliance
- Redevelopment Law

Industries

- Alternative & Renewable Energy
- Construction Contractors/SubContractors
- Hospitality
- Nonprofit & Charitable Organizations
- Real Estate Development & Management
- Restaurant & Beverage
- Transportation & Logistics

