



## James Duncan

### SENIOR COUNSEL

THE LINK VIRTUAL

OFFICE

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### OVERVIEW

With a focus on transportation law and shipping cases, James supports clients through complex, high-value litigation.

James represents supply chain participants and providers including shippers, brokers (3PLs), motor carriers, freight forwarders, marine and energy companies, intermediaries, NVOCCs, warehouses, and ocean vessels in a variety of shipping-related litigation matters. Many of his cases revolve around cargo loss or damage, as well as vehicle accidents, contract disputes, and other commercial litigation for transportation clients. James handles disputes involving intrastate, interstate, and international commerce and routinely deals with a mix of international, federal, state, and local laws, including the:

- Carmack Amendment, 49 U.S.C. § 14706
- Federal Aviation Administration Authorization Act (FAAAA), 49 U.S.C. § 14501(c)(1)
- Federal Motor Carrier Safety Administration (FMCSA)
- Carriage of Goods by Sea Act (COGSA), 46 U.S.C. § 30702
- Montreal Convention/Warsaw Convention
- Food Safety Modernization Act (FSMA)
- Federal Chemical, Natural Resource, and Waste Transportation Law

### Industries

Manufacturing  
Technology  
Transportation

### Services

Aviation  
International Trade & Supply Chain  
Litigation & Alternative Dispute Resolution  
Rail  
Supply Chain Logistics  
Truck, Transit, & Ground

## HUSCH BLACKWELL

- Resource Conservation and Recovery Act (RCPA)
- Hazardous Materials Transportation Act, 49 U.S.C. §§ 5101, et seq.
- Uniform Self-Service Storage Facility Act
- Uniform Commercial Code, Article 7

After beginning his career as a general litigator, James began working with transportation law cases, and the industry soon dominated his practice. He worked extensively with a major global third-party logistics provider and quickly came to know the intricacies of shipping law inside and out.

Alongside his supply chain work, James also has a personal passion for the higher education industry and worked in-house for Utah Valley University prior to joining the firm. He continues to handle certain education cases at Husch Blackwell, but he draws on his in-house experience in nearly every case, regardless of industry: at the university, James's role was focused on risk assessment and risk control, and he brings a deep assessment of litigation risk to every matter. His time at UVU also impressed upon him the importance of frequent, in-depth communication during litigation.

James understands that litigation is often a stressful and difficult process for clients, and he ensures that they feel supported all the way. His goal is for clients to know that he has the case handled, freeing them to focus on their business, and that he'll be right alongside them until the matter is resolved. Known as a pragmatic, positive professional, James takes a personalized approach to every piece of litigation and ensures that the client and their internal team are fully prepared for each step.

## Education

- J.D., University of Iowa College of Law
  - with distinction
- B.M., Brigham Young University
  - *cum laude*

## Admissions

- Utah

James is associated with the Washington, DC office for telephone and mail purposes only. He is not admitted to practice in District of Columbia.

## Community Leadership

James loves participating in community theatre, the proceeds of which fund local arts organizations. He also seeks out opportunities to represent arts organizations pro bono.

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\*James works remotely and is licensed in Utah, practicing in Highland, UT. Contact James via email or phone for in-person/virtual meetings. Use the Washington, DC office address for mail/deliveries only.