



James D. Miller
Shareholder

T: 412-394-5431
F: 412-394-6576
jmill@babstcalland.com

Area of Emphasis

Jim Miller is a shareholder in the Litigation, Construction, Energy and Natural Resources, and Environmental groups of Babst Calland. His practice focuses on commercial litigation, energy and environmental disputes, construction law, and business counseling for companies involved in complex projects, regulated operations, and high-value commercial relationships.

Mr. Miller represents clients in state and federal courts, private arbitrations, and dispute-resolution proceedings across Pennsylvania, West Virginia, and other jurisdictions. He is frequently called upon to handle difficult, fact-intensive disputes where recovery or successful defense requires disciplined case assessment, careful development of the record, and litigation strategy aligned with the client's commercial and legal objectives. His experience includes energy and mineral rights disputes, environmental citizen-suit litigation, construction claims, commercial contract disputes, shareholder and fiduciary duty claims, restrictive covenants, trade secret misappropriation, civil RICO, fraud, corporate veil piercing and alter ego theories, fraudulent transfers, bid protests, employment claims, civil recoveries arising from white-collar crimes, recovery efforts against insolvent entities and their principals, and other complex business torts.

His practice is also focused on helping businesses manage disputes and legal risk arising from complex projects, regulated operations, and commercial relationships. Mr. Miller represents energy companies, industrial clients, contractors, developers, closely held businesses, and service providers in matters involving project development, contract performance, operational impacts, payment obligations, property rights, environmental claims, regulatory issues, risk allocation and insurance coverage, and business torts. Drawing on both litigation experience and in-house executive experience, he helps clients evaluate risk, preserve claims and defenses, resolve disputes efficiently where possible, and litigate aggressively when necessary.

Before rejoining Babst Calland in 2026, Mr. Miller served as Chief Operating Officer and General Counsel for a group of privately held companies based in Pittsburgh offering plumbing, excavating, fire protection and other construction services. In that role, he was involved in managing day-to-day operations and the companies' legal affairs, risk management, labor relations, insurance coverage issues, employment matters, contract negotiation and administration, project disputes, and claims management. That in-house executive experience broadened and deepened his litigation and counseling practice, giving him practical insight into how legal advice affects operations, workforce issues, project execution, cash flow, customer relationships, and enterprise risk.

He also has served as national litigation counsel to companies that provide services to the mortgage and finance industries, advising on litigation, regulatory compliance, creditors' rights, vendor and customer contracts, and multi-jurisdictional recovery strategies.

Representative Matters

- Obtained summary judgment for an energy client, defeating a pipeline contractor's claims seeking more than \$30 million for alleged delays, extra work, and related damages.
- Represented an energy company as part of the legal team in a complex commercial arbitration that resulted in an award exceeding \$150 million against a Fortune 500 company for breach of a commercial agreement.

-
- Represented an industrial client in a precedential Third Circuit Clean Air Act citizen-suit appeal involving emissions standards, consent decrees, agency enforcement, and the Act's diligent-prosecution bar, resulting in affirmance of dismissal of the environmental organization's claims.
 - Served as lead counsel in successfully prosecuting a complex civil RICO claim against affiliated law firms, trustee companies, and their operators in federal court, resulting in a favorable pre-trial settlement after overcoming dispositive motions.
 - Obtained an arbitration award exceeding \$300,000 for a construction client in a contentious breach of contract dispute against a developer arising from violations of the Pennsylvania Contractor and Subcontractor Payment Act.
 - Recovered millions of dollars for a mortgage services company in multi-jurisdictional litigation arising from insolvent foreclosure firms, and claims involving alter ego, fraud, breach of fiduciary duty, and related theories.
 - Developed appellate strategy and briefing in an Illinois appeal after an adverse trial ruling on alter ego, fiduciary duty, and fraudulent conveyance claims, resulting in reversal and a directive to enter judgment in favor of the client.
 - Represented a Fortune 500 company in trade secret and non-compete litigation, resulting in significant sanctions and a favorable outcome barring the defendants from using misappropriated software and other intellectual property.
 - Secured summary judgment in favor of a developer client against a municipality in litigation seeking mandamus and statutory relief under the Pennsylvania Municipalities Planning Code, requiring reimbursement of sewer tap fees exceeding \$300,000.
 - Advised construction and energy-industry clients on contract drafting, project documentation, claim preservation, dispute avoidance, and resolution of project-level commercial disputes.

Background

Mr. Miller graduated *cum laude* from the University of Pittsburgh with a B.A. in Political Science in 2004. He received his J.D. from Duquesne University School of Law in 2008, where he graduated *magna cum laude* and served on the Editorial Board of the *Duquesne Law Review*.

While in law school, Mr. Miller completed an externship with the Honorable David Stewart Cercone of the United States District Court for the Western District of Pennsylvania. He also volunteered as a law clerk with MidPenn Legal Services in York, Pennsylvania, where he assisted attorneys serving indigent individuals and families in civil matters.

Memberships and Affiliations

Mr. Miller is licensed to practice in Pennsylvania and West Virginia. He is also admitted to practice before the United States District Courts for the Western and Middle Districts of Pennsylvania, the United States District Courts for the Northern and Southern Districts of West Virginia, and the U.S. Court of Appeals for the Third Circuit.

A member of the Allegheny County, Pennsylvania, and American Bar associations, Mr. Miller has held several leadership positions with the Allegheny County Bar Association's Construction Law Section, including Chair, Vice-Chair, Secretary, and council member. He remains active in several construction and energy-related industry organizations, reflecting his ongoing work with clients involved in project development, infrastructure, and regulated operations.

In addition, Mr. Miller currently serves on the Zoning Hearing Board for the Municipality of Murrysville. From 2017 to 2022, he served on the Board of Directors of Pennsylvania Organization for Women in Early Recovery and on its Human Resources Committee. Mr. Miller also has provided *pro bono* legal services in Allegheny County custody conciliation matters, immigration matters, and consumer protection matters.

He has been repeatedly recognized by *The Best Lawyers in America*® for Litigation – Construction and Construction Law. Mr. Miller also was previously selected to the Pennsylvania Rising Stars list and, in 2017, was named by *The Legal Intelligencer* as one of only 32 “Lawyers on the Fast Track” in Pennsylvania.