



## JAMES D. BURNSIDE III

*Of Counsel*

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Fresno, California

James Burnside is a member of the business litigation practice group in our Fresno office. His clients include contractors, title insurance and escrow companies, motor vehicle dealers, farmers, and transportation companies.

James has been in private practice since graduating from the University of Santa Clara School of Law in 1977. He began his law career in San Francisco before moving to Fresno in the late '70s. In 2005, he joined Dowling Aaron. He has substantial jury and bench trial experience in the areas of unfair competition law, construction cases, real estate contracts, partnership/shareholder disputes, consumer protection and products liability. He cherishes the independent working environment of the law, and still obtains great satisfaction when a client says "thank you" for a job well done.

James has two daughters and four grandchildren. One of his two daughters, Leigh, is also an attorney at Dowling Aaron. He has been voted by his peers as one of Northern California's *Super Lawyers*®, representing the top 5 percent of practicing attorneys in the region from 2012 through the present.

### EDUCATION

- J.D, *magna cum laude*, Santa Clara University School of Law
- B.A., University of California, Davis

### AREAS OF PRACTICE

- Business Litigation

### REPRESENTATIVE CASES

- *Bennett v. Bennett* (Sacramento) — Successful defense of disputed ranch valuations in business dissolution/partition actions that saved client \$11 million.

- *DH Williams Construction v. Clovis Unified School District* (Fresno) — Successful prosecution and appeal of mandamus action that overturned School District's refusal to award several – million dollar construction contract to plaintiff low bidder.
- *Jensen v. Deutsche Bank* (Stockton) — Successful defense of the title insurance company's insured lender in a lien priority dispute involving competing deeds of trust on the same property.
- *Lopez v. Asbury Fresno Imports* (Fresno) — Successful defense of claims for dealer fraud and violation of consumer laws in connection with a customer's purchase of a new motor vehicle, affirmed on appeal. [*Lopez v. Asbury Fresno Imports, LLC*, (2015), 234 Cal.App.4th 71; 183 Cal.Rptr.3d 696]
- *Pollard v. Fidelity Title Company* (Stockton) — Settlement for a nominal sum after one day of trial of the plaintiffs' claim for \$2 million damages alleged to have been caused by the negligence of the escrow holder in its handling of a refinance transaction.
- *Diaz v. Fresno Dodge* (Fresno) — Successful appeal of a trial court judgment finding unfair competition and violation of consumer laws in the dealer's vehicle leasing program. Judgment for the class of consumers reversed and judgment entered for the dealer.

## AWARDS AND HONORS

- Northern California Super Lawyers®, 2012-2021

## PROFESSIONAL AND COMMUNITY ACTIVITIES

- Member, State Bar of California, Litigation Section
- Member, Fresno County Bar Association, Construction Law Section
- Member, Association of Business Trial Lawyers

## ADMISSIONS

- California