



John H. "J.H." Mahaney

Partner
john.mahaney@dinsmore.com

Huntington, WV
Tel: (304) 691-8320

Recognized for his work on a variety of complex, high exposure cases, J.H. has extensive trial and appellate experience in a wide variety of litigation matters.

He has extensive experience in complex commercial and business litigation, including corporate and contract disputes, real estate claims, unfair competition, and intellectual property litigation. He also has handled construction litigation and disputes including construction defect claims, architects and engineers' liability claims, contractor delay/disruption claims, bid disputes and additional work/changed conditions/change order litigation, catastrophic and mass tort litigation, including traumatic brain injury cases, deliberate intent claims and workplace injuries.

Additionally, he has experience with employment litigation and disputes representing employers in wrongful termination, hostile work environment, unlawful harassment and covenant-not-to-compete cases, as well as transportation litigation for rail and trucking companies, including derailment claims, Federal Employers' Liability Act litigation and truck/motor carrier accidents. His practice also extends into energy and natural resource litigation for owners, operators and producers in the natural gas, timber and coal industries, as well as product liability litigation for pharmaceutical companies and manufacturers of personal protective equipment, and professional liability claims representing lawyers, architects, engineers, real estate professionals, accountants and actuaries.

His representative clients include major transportation companies, pharmaceutical companies, energy exploration and production companies, product manufacturers, and retailers. He has handled cases in state and federal courts throughout West Virginia and New Mexico, and has appeared pro hac vice on behalf of clients in state and federal courts in Kentucky, Ohio, Virginia and North Carolina.

Services

- Litigation
- Product Liability
- Natural Resources Industry

- Construction Industry
- Mass Tort
- Tort
- Toxic Tort
- Transportation Industry

Education

- Washington and Lee University School of Law (J.D., *magna cum laude*, 1992)
 - Order of the Coif
- Bethany College (B.A., *magna cum laude*, 1989)
 - Politics and Public Policy

Bar Admissions

- West Virginia
- New Mexico (inactive)

Court Admissions

- U.S. Court of Appeals for the Fourth Circuit
- U.S. Court of Appeals for the Tenth Circuit
- U.S. District Court for the Northern District of West Virginia
- U.S. District Court for the Southern District of West Virginia
- U.S. District Court for the District of New Mexico

Affiliations/Memberships

- National Association of Railroad Trial Counsel, National Executive Committee
- Cabell County Bar Association, President (2003 - 2004)
- American Bar Association
- Huntington YMCA, volunteer basketball coach
- West Virginia District 1, volunteer staff umpire
- Little League 3, volunteer baseball coach
- West Virginia Vision Shared, Board of Directors (2012 - present)

Distinctions

- Fellow, Litigation Counsel of America (an honor conferred on less than one-half of one percent of lawyers nationwide)
- *Chambers USA*®: *America's Leading Lawyers for Business*, Litigation: General Commercial
- *Best Lawyers*®

- "Lawyer of the Year" in Charleston for Litigation - Construction (2014, 2017, 2021)
- Commercial Litigation (2021-2024)
- Employment Law - Management (2021-2024)
- Litigation - Construction (2021-2024)
- Mass Tort Litigation/Class Actions - Defendants (2021-2024)
- Personal Injury - Defendants (2021-2024)
- Railroad Law (2021-2024)
- West Virginia *Super Lawyers*®
 - Business Litigation (2021)
- Local Litigation Star by *Benchmark Litigation* in Appellate Advocacy, Commercial Litigation and Product Liability Litigation

Experience

Massive natural resource litigation involving land owners and property damage as a result of a flood

We were able to negotiate a reasonable settlement for our client, a land holding company, in a massive litigation case. Over 3,000 plaintiffs – primarily property owners – sued land holding companies in Southern West Virginia who helped provide natural resources in the area. The suit claimed the land use, in terms of natural resource extraction, caused peak flow of water to increase resulting in the flooding and an overall change in the terrain of the land causing increased flooding. This case went on for ten years, and was one of the largest litigated cases in West Virginia history.