

**Jack W. Higdon | Partner**

Business Litigation

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Jack Higdon's practice focuses on civil trial and appellate work, with particular emphasis on petrochemical, investment, insurance coverage, governmental, and general business disputes. In connection with managing a high-stake, complex litigation docket, Jack has developed significant experience with the application of leading-edge litigation technologies.

- **Litigation**—Jack handles complex litigation matters and resolves client issues in all contexts (trial, pre-litigation, litigation, arbitration, ADR, and appellate), litigating in both state and federal courts. These disputes vary in terms of both subjects and forums (*i.e.*, commercial contract and business tort disputes, first-party insurance coverage disputes, UCC disputes, construction matters, employer-side trade secret and unfair competition disputes, product liability issues, land use disputes, securities fraud claims, and governmental disputes). In addition to representing private parties, Jack routinely represents and advises Texas government entities and public officials.
- **E-Discovery & Information Management**—Jack has a great depth of experience in managing e-discovery strategy and implementation of cost-effective, leading-edge technologies in litigation and pre-litigation contexts, including:
  - acting as the co-chair of Blank Rome's "E-discovery Committee" (a practice group that oversees Blank Rome's provision/supervision of e-discovery services to clients)
  - authoring a law firm's internal manual on e-discovery best practices and supervising training of firm attorneys on the subject
  - auditing large institutional clients' computer systems and authoring legal hold policies and training intended to reduce the litigation costs

and spoliation risks related to the collection/preservation of electronically stored information

- **Sedona Conference**—Jack participates as a member of the Sedona Conference, which is a nonprofit legal policy research and education organization of judges, attorneys, and e-discovery experts who are dedicated to resolving e-discovery and information management issues.

## Outside The Firm

Jack is an avid golfer who plays to a single digit handicap and builds his own golf clubs.

## Select Engagements

- Participating in the prosecution and defense of a series of commercial lawsuits and arbitration proceedings on behalf of a large petrochemical facility owner against its contractors, insurers, and bond sureties, in connection with the client's off-gas processing plants (resulted in two trials, an arbitration, and verdicts/awards in excess of \$100,000,000).
- An international energy company, defending from a \$65,000,000 product liability lawsuit involving claims by a product manufacturer that incorporated the client's lubricant into its finished product.
- Governmental self-insurance funds, in connection with large-loss self-insurance claims.
- A chemical company, assisting with early response and pretrial defense in connection with a state-wide chemical spill.
- American and Canadian petrochemical companies, defending from contract, tort, and trade secret misappropriation claims in relation to the development of propane dehydrogenation and polypropylene facilities.
- An Australian-based upstream company, in prosecuting fraud, breach of contract, breach of fiduciary duty, and shareholder oppression claims against a Texas LLC.
- A Texas-based oilfield service company, in several litigation and arbitration proceedings prosecuting breaches of asset purchase agreements and UCC sales disputes.
- An international petrochemical company, defending in litigation involving rail access and land use claims relating to the client's petrochemical shipping and storage terminals.
- An out-of-state employer, defending against a former employee's attempt to void noncompetition and forum selection agreements in his employment contract, including briefing, oral argument, and acquiring a favorable, employer-friendly appellate opinion.
- Prosecuting claims on behalf of employer clients against a departing broker and sales personnel in connection with non-compete and trade secret claims (multiple).
- A wealthy corporate investor, in prosecution of commercial tort and breach of fiduciary duty claims arising in context of stock purchase dispute in closely-

held business.

- Texas governmental entity employers, defending from employment and constitutional claims (multiple).

## **Admissions**

- U.S. District Court - Northern District of Texas
- Texas
- U.S. District Court - Eastern District of Texas
- U.S. District Court - Southern District of Texas
- U.S. District Court - Western District of Texas
- United States Court of Appeals for the Fifth Circuit

## **Memberships**

- American Bar Association
- Houston Bar Association
- Houston Young Lawyers Association
- State Bar of Texas

## **Education**

- Texas A&M University, BA
- University of Texas School of Law, JD

## **Professional Activities**

Jack is admitted before all Texas state and federal courts. Jack actively handles pro bono guardianship proceedings and participate in HVLP legal clinics.