

James D. Higgason, Jr.



Partner

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Jim has litigated a wide range of complex commercial disputes involving private and government parties in state and federal courts in several jurisdictions and before various arbitration panels. His litigation practice includes contracts, commercial torts, debtor/creditor rights, professional malpractice, environmental disputes and antitrust.

REPRESENTATIVE EXPERIENCE

Recent matters include:

- Obtained net settlement of \$130 million for bankruptcy trustee of bank holding company in action against FDIC.
- Obtained net settlement of \$70 million for bankruptcy trustee in professional malpractice action against debtor's former auditors.
- Secured partial summary judgment and take-nothing settlement in action arising from failed transaction involving sale of chemical plant.
- Obtained net settlement of \$12 million for bankruptcy trustee in action against debtor's former directors.
- Representing medical device manufacturer and distributor in action regarding European distributorship agreements.

ARTICLES/PUBLICATIONS

- "Unsteady Companies Must Prepare for Gathering Storm" Houston Business Journal (April 18, 2008)
- "Directors' Duties Change When Company is Distressed," Executive Counsel (March 2008)
- "Enterprise Liability in Private Civil RICO Actions" 45 Washington & Lee Law Review 1447 (Fall 1998)
- Labor and Employment in New York, Contributor 45 Washington & Lee Law Review 1447 (1991)
- "Vancouver Womens Health Collective Society v. A.H. Robins Co.: Providing Adequate Notice to Foreigners in a 'Mass Tort' Bankruptcy Proceeding" 45 Washington & Lee Law Review 691 (Spring 1988)

BRIEFINGS, SEMINARS & SPEECHES

Speeches:

PRACTICE AREAS

Antitrust
Bankruptcy/Restructuring
Litigation
Subprime and
Distressed Assets

EDUCATION

JD, 1989, Washington & Lee University School of Law; Washington & Lee Law Review, Articles Editor
BA, 1984, Washington & Lee University

ADMITTED

Texas 1996
District of Columbia 1991
New York 1990
US District Court for the Southern District of New York
US District Court for the Eastern District of New York
US District Court for the Northern District of Texas
US District Court for the Southern District of Texas
US District Court for the Eastern District of Texas
US District Court for the Western District of Texas

James D. Higgason, Jr.

- "Electronic Discovery: Recent Developments and Practice Suggestions," University of Houston Advanced Civil Litigation Seminar, (February 7, 2008)

Presentations

- "Data Preservation Duties and Protocols," University of Houston Law Foundation Advanced Evidence and Discovery Conference, Houston, Texas (November 6, 2008)
- "Data Preservation Duties and Protocols," University of Houston Law Foundation Advanced Evidence and Discovery Conference, Dallas, Texas (November 13, 2008)

PROFESSIONAL/CIVIC AFFILIATIONS

Member

- Houston Bar Association
- District of Columbia Bar Association

HEADLINE NEWS

- Law firms brace for subprime fallout (April 11, 2008)
- Firm Obtains Net Recovery for Client of \$84 Million in Ernst & Young Litigation (January 31, 2005)