

Colby S. Hodges

Shareholder

PRACTICE EMPHASIS:

Commercial, Construction, and Labor and Employment Litigation

EDUCATION:

J.D., South Texas College of Law, 2010
South Texas Law Review, Articles Editor
B.A. Texas A&M University, 2006

ADMITTED:

State Bar of Texas

COURT ADMISSIONS:

U.S. District Court, Northern, Southern and Western Districts of Texas



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Profile:

Colby Hodges' practice focuses on the representation of businesses in complex commercial, construction, and labor and employment litigation. Colby has successfully handled an array of disputes for clients across a broad spectrum of business-related tort matters, including breach of contract, breach of warranty, tortious interference, construction defect, copyright infringement, trade secret theft, employee fraud, and employee non-competition. He has represented a diverse group of clients across numerous industries, including manufacturing, construction, telecommunications, insurance brokerage, real estate development, and oilfield services.

Prior to joining Andrews Myers, Colby practiced commercial litigation with two boutique business litigation firms in Houston, Texas, including serving as a member of the trial team that successfully defended Halliburton Energy Services against claims arising out of the BP Deepwater Horizon oil spill.

Professional Recognition:

"Texas Rising Star," as presented by Super Lawyers, a Thomson Reuters Business, in Texas Monthly, since 2014
Recognized as a "Top Lawyer" by *Houstonia* magazine, 2019 & 2020

Affiliations:

State Bar of Texas
Houston Bar Association
Texas Aggie Bar Association
Houston Young Lawyers Association

Representative Experience:

- Successfully resolved employment dispute on behalf of commercial construction company involving an employee's violation of his non-competition agreement and unfair competition by industry competitor.
- Represented New Zealand-based oilfield equipment services provider in suit against director concerning claims for breach of fiduciary duty and fraud.
- Defended drill pipe manufacture and supplier against claims asserted by Permian Basin driller surrounding alleged loss of an oil well.
- Successfully defended Houston-based steel building fabricator in protracted litigation involving claims of copyright infringement and violations of the Digital Millennium Copyright Act.

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Representative Experience (Cont'd)

- Prosecuted breach of warranty and misrepresentation claims on behalf of Canadian metal fabrication and manufacturing company in connection with the company's purchase of a sizeable business operation in Cypress, Texas.
- Represented Houston-based real estate developer in Texas state court action involving claims for breach of contract and declaratory judgment related to a retail anchor-tenant's breach of its lease and the resulting delay in funding and construction of a sizeable mixed-use commercial retail development.
- Successfully represented mixed-use real estate developer in claims for breach of contract, breach of warranty and construction defect allegations against its former general contractor involving water infiltration in two luxury apartment buildings.
- Defended restaurant startup against intellectual property theft and trademark infringement claims brought by former employer management group.
- Defended South Texas homebuilder in multiple DTPA, breach of contract, and construction defect actions.
- Assisted in representing Haliburton Energy Services in the Multidistrict Litigation arising out of the 2010 blowout of BP's Macondo Well in the Gulf of Mexico. Served as the youngest member of the trial team that tried both cases in the matter.
- Assisted in representing a nationally recognized agricultural processor in arbitration proceedings involving breach of contract, breach of warranty, and dealer fraud claims with regards to an industrial complex.
- Defended major telecommunications provider against customer claims for breach of contract, fraud and violations of the DTPA.

Speeches and Publications:

"A Recession May be Coming: Tips for the Contractor," Metal Building Erectors & Contractors Association Newsletter, June 2022

"Change Orders: Know the Rules. Follow the Rules.," Metal Building Erectors & Contractors Association Newsletter, February 2022

"Non-Competes... Who Needs 'Em?!", AM Monthly Law Alert, September 2020

"Harris Country Order Extension... What Did it Really Mean?," AM Law Alert, May 2020

"Changes to Texas' Anti-SLAPP Statutes Brings Much Needed Relief," AM Monthly Law Alert, June 2019

"Planning for the Inevitable Legal Dispute," AM Monthly Law Alert, March 2019

"Copyright Law and Contractors – A Cautionary Tale," AM Monthly Law Alert, November 2018

"Strategies for Initial Phases of a Dispute," ABC Young Leaders Panelist, June 2018

"Employees... Coming and Going," AM Monthly Law Alert, June 2018