

Jim D. Aycock

Shareholder

PRACTICE EMPHASIS:

Litigation: commercial, financial and energy & environmental;
Creditors' Rights; Arbitration and mediation

EDUCATION:

J.D., *cum laude*, University of Houston Law Center, 2001
B.B.A. Finance, Texas A&M University, 1992

ADMITTED:

State Bar of Texas

COURT ADMISSIONS:

U.S. District Court, Northern, Southern, Eastern and
Western Districts of Texas
U.S. Court of Appeals, Fifth Circuit



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Profile:

Jim Aycock is a trial attorney whose practice includes a wide variety of complex commercial litigation matters in state and federal courts, as well as domestic and international arbitrations, for both plaintiffs and defendants. Jim's practice focuses primarily on financial litigation, energy matters, real estate disputes, and general business disputes. Jim commonly represents national and regional banks, private and publicly-held energy companies, as well as private corporations and partnerships.

Jim's broad based litigation practice allows him to understand the client's business and practices in a wide range of industries. In financial litigation, his experience includes intercreditor disputes, lien enforcement, complex collection matters, lender liability claims, and asset seizures for various financial institutions and mezzanine lenders. Jim's financial legal acumen is complimented by his previous career as Vice President at Compass Bank and Wells Fargo Bank, where he provided lending, investment and trust services to commercial and private banking clients. Jim's energy litigation experience includes upstream disputes such as surface owner claims, lease and gas purchase contract interpretation, AMI disputes, operator removal and royalty disputes. Other commercial litigation matters include complicated partnership disputes and business tort litigation as well as premises and product liability cases.

Additionally, Jim is a certified mediator, having completed his mediation training at the Blakely Advocacy Institute at the University of Houston Law Center.

Professional Recognition:

"Texas Rising Star," *Texas Monthly*, 2006-2009, 2011-2012

Affiliations:

State Bar of Texas - Litigation and Oil & Gas Law Sections
Houston Bar Association - Litigation, Oil & Gas, ADR Sections
Federal Bar Association
Turnaround Management Association
DRI

Representative Experience:

FINANCIAL

- Trial counsel for public regional bank and its lending officers against lender liability, fraud, and lien priority issues
- Representation of numerous public and private banks in complex collection and lien enforcement matter
- Trial counsel for public regional bank in fraud and other tort claims arising from foreclosure of condominium project, as well as construction defect claims brought against builder
- Representation of farm credit lender in a variety of lien priority issues, intercreditor disputes, and collection actions
- Representation of mezzanine lender against lender liability allegations
- Representation of private investment manager and officers against securities fraud allegations

ENERGY & ENVIRONMENTAL

- Representation of multiple independent production companies defending numerous surface damage and accommodation doctrine cases in South Texas
- Representation of independent production company in nuisance claims brought by surrounding neighborhood
- Representation of independent production company in takings claim against municipality over city drilling ordinance
- Representation of publically traded production company in dispute over validity of AMI agreement
- Representation of independent operator defending against property damage claims arising from pipeline explosion
- Representation of Canadian public energy company against tortious interference claims arising from acquisition of assets in Colombia
- Trial counsel for global engineering and logistics company in defending against CERCLA, SWDA and fraud litigation over pipeline spill
- Trial counsel defending former CEO of public energy company against contractual claims brought by successor company
- Representation of public energy company in defending against challenges to Force Majeure assertion
- Representation of fracturing fluid provider in claims against chemical supplier
- Representation of manufacturing company in environmental claims associated with manufacturing facility

GENERAL COMMERCIAL

- Arbitration counsel for valve manufacturer in defending against defective product claim involving refined products pipeline
- Representation of multiple publicly traded, national manufacturing and chemical companies in products and premises cases
- Representation of numerous individuals and entities in various partnership disputes involving breach of fiduciary duty, fraud and breach of contract claims

Recent Speeches and Publications:

"The Painfully Slow Return to Commercial Jury Trials," AM Law Alert, March 2020

"The Often Forgotten, but Extremely Powerful Real Estate Broker's Lien," AM Monthly Law Alert, October 2019

"Limitation Waivers – Exactly How Specific Does "Specific" Need to Be?" AM Monthly Law Alert, May 2019

"Foreign Cos. Can Escape ERG Suit, Texas High Court Says," Law360, June 2016