

## Lucas Diaz

### Senior Associate

#### **PRACTICE EMPHASIS:**

Commercial Litigation; Real Estate Litigation

#### **EDUCATION:**

J.D., South Texas College of Law, 2020  
Varsity Moot Court; NLLSA National Moot Court Semi-Finalist;  
Dean's Honor List; Phi Delta Phi Honor Society  
B.A., University of Mississippi, 2017

#### **ADMITTED:**

State Bar of Texas



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#### **Profile:**

Lucas Diaz is a commercial litigator whose practice focuses primarily on complex real estate and business disputes across Texas. He represents a diverse group of clients across several industries, including real estate development, property management, construction, business organizations and professional services. Lucas has successfully represented clients from inception through trial in matters related to breach of contract, real property claims, fraudulent transfers, construction defect, breach of fiduciary duty claims, partnership disputes, enforcement of non-competition agreements and misappropriation of trade secrets.

Prior to joining Andrews Myers, Lucas practiced commercial litigation with a boutique business litigation firm in Dallas, Texas. He also served as a judicial intern for the Honorable Cynthia M. Wheless in the 417<sup>th</sup> District Court.

Lucas is a Certified Mediator.

#### **Affiliations:**

NAIOP Commercial Real Estate Development Association  
State Bar of Texas  
Houston Bar Association

#### **Representative Experience:**

- Successfully drafted and argued a statutory motion to dismiss based on the inadequacy of the plaintiff's expert report and challenged the constitutionality of a certain statute on behalf of Texas shooting range, resulting in a judgment dismissing all claims with prejudice and awarding \$270,000.00 in attorneys' fees.
- Obtained an order granting two (2) TCPA (Texas Citizens Participation Act) motions to dismiss on behalf of defendant, a nationally recognized real estate developer, resulting in a judgment for \$250,000.00 in attorneys' fees.
- Successfully drafted and argued a motion for summary judgment and motion to exclude evidence resulting in plaintiffs' voluntary dismissal of their multi-million dollar claims for misappropriation of trade secrets and breach of fiduciary duty against a large catering business defendant.
- As first chair trial lawyer, obtained a unanimous jury verdict in a breach of contract, warranty, and DTPA dispute that involved commercial construction, and performed all aspects of the case including: preparing pleadings, discovery, pretrial dispositive motions, arguing pretrial dispositive motions, developing the trial strategy, arguing admission of trial exhibits, performing voir dire, opening statement, all witness examinations, successfully objecting and arguing during trial exclusion of evidence, and closing statement.

Lucas Diaz

Representative Experience (Cont'd)

- As second chair trial lawyer, obtained a dismissal of Plaintiffs' claims at pretrial conference after moving under Tex. R. Civ. P. 166(g) on behalf of a nationwide real estate developer.
- Represented a nationwide commercial real estate company in a \$30 million dollar partnership dispute, by managing and performing all aspects of the case from inception to trial including: drafting pleadings, discovery, preparing and arguing pretrial dispositive motion briefing, preparing and arguing pretrial briefing, developing the entire trial strategy, by preparing a voir dire outline, preparing opening statement, selecting trial exhibits, preparing and arguing admission of trial exhibits, preparing all direct and cross examination witness outlines, arguing during trial to exclude evidence of damages, and advising at counsel table during trial.
- Achieved a defense verdict by drafting and filing a Tex. R. Civ. P. 91a motion to dismiss on behalf of a closely held Texas limited liability company resulting in dismissal of all plaintiff's claims, for breach of fiduciary duty and conspiracy.
- Conducted and defended multiple depositions involving claims for breach of contract, fraud, theft, conspiracy, fraudulent transfers, including examining expert witnesses, selecting exhibits, and drafting deposition outlines.
- Bench and jury trial experience as 2nd and 3rd chair in multi-million-dollar trials by managing all aspects of the case from inception to trial including: drafting pleadings, discovery, arguing pretrial dispositive motion briefing, contributing to favorable outcomes shaping trial, preparing witness outlines, preparing and arguing pretrial motions, preparing findings of fact and conclusions of law and jury charges, preparing final judgments, and closing statements.