

Jamie A. Aycock

PARTNER

jamieaycock@yettercoleman.com
713.632.8089



Credentials

- Harvard Law School
J.D.
Editorial Board, *Harvard Journal of Law and Public Policy*
- Cornell University
B.A., Government & Economics, *summa cum laude* with Distinction in All Subjects
Lt. David Chrystall Prize for best honors thesis on international relations
- Law Clerk to the Hon. Nathan L. Hecht, Supreme Court of Texas
- Admitted to Practice:
Texas
District of Columbia
U.S. District Courts for the Northern, Southern, and Eastern Districts of Texas
U.S. District Court for the District of Columbia
U.S. Court of Appeals for the Second, Third, Fifth, and Federal Circuits;
U.S. Supreme Court

Jamie is a business trial lawyer who represents clients in high-stakes complex commercial, appellate, and restructuring related litigation. He represents a wide range of plaintiffs and defendants in complicated suits involving breaches of contract and business torts, especially energy-related companies, and has regularly served as lead trial counsel in contested Chapter 11 proceedings. Whether addressing a nuanced question of law to be decided by a court or preparing a witness to maximize credibility with a factfinder, Jamie's advocacy cuts through complicated legal and factual matters to focus on what is key to winning and presents those issues with clarity.

Jamie clerked for Justice Nathan L. Hecht of the Supreme Court of Texas and is recognized in commercial litigation and bankruptcy litigation by *Best Lawyers in America* and in business litigation as a "Texas Super Lawyer" by Thomson Reuters' *Super Lawyers*. Prior to joining the firm, Jamie practiced with Kirkland & Ellis LLP and AZA in Houston.

Jamie also has served as pro bono litigation counsel on a variety of matters related to protecting religious liberties, including for two high school boys banned from extracurricular activities by their school district for keeping a *promesa* from infancy not to cut a small strand of hair and for a synagogue denied access to a federal flood relief program.

Experience

- Co-lead trial counsel for Extraction Oil & Gas in Chapter 11 proceedings before Chief Bankruptcy Judge for the District of Delaware. Following extensive discovery, briefing, and trials prevailed in stopping attempt by multiple midstream counterparties to institute FERC proceedings and prevailed in rejecting numerous midstream contracts by establishing that rejection was a reasonable exercise of Extraction's business judgment, was in the public interest, and the contracts did not contain real covenants that precluded rejection. Courtroom victories ensured multi-million-dollar savings to the company.

- Successfully defended Bayou City Energy in litigation challenging its purchase of Alta Mesa Resources and then subsequently defended against attempt to enforce specific performance after the market shifted but before closing took place.
- Co-lead trial counsel at successful contested confirmation trial for McDermott International and oversaw investigation conducted by independent directors into potential claims.
- Lead trial counsel for Primexx in three lawsuits in Oklahoma state court alleging injection of wastewater from fracking at disposal wells caused seismic activity. Achieved settlement to client's satisfaction.
- Trial counsel for international tire manufacturer in high exposure wrongful death case when the defendant faced a forced inspection of its Chinese manufacturing plant with implications for other cases pending across the country. Helped the client avoid the inspection and obtain a favorable settlement.
- Co-lead trial counsel for Exco in contested confirmation hearing that reached favorable settlement following the close of evidence.
- Obtained injunction and summary judgment in Federal District Court for the Southern District of Texas affirmed by the Fifth Circuit for two brothers banned from extracurricular activities by their school district based on their adherence to a religious promise. The boys have long kept a small strand of hair uncut, which they braid and tuck into their shirts, as part of a religious promesa, a practice familiar to Mexican Catholics, related to a promise made to God because one of the brothers recovered from bacterial meningitis as an infant. The case received substantial media attention from outlets, including Newsweek, the New York Post, the Washington Examiner, and Fox News, as well as local Corpus Christi news stations.
- Trial counsel for Nine West Holdings, Inc. during its Chapter 11 cases in the Southern District of New York in successfully settling contested confirmation trial over value of claims breach of fiduciary duty, fraudulent transfer and other causes of action in connection with the 2014 leveraged buyout of the company. Case settled favorably after one week of trial.
- Trial counsel for Victory Park Capital in connection with Think Finance's Chapter 11 cases in the Northern District of Texas. Served as trial counsel for Cobalt International Energy, Inc. and its subsidiaries, achieved confirmation of Chapter 11 plan of over multiple objections after hotly contested plan process and argued and won dismissal of appeal on equitable mootness grounds.
- Served as lead trial counsel for Gastar Exploration, Inc. in obtaining confirmation of Chapter 11 plan over equity holder's objections.
- Won dismissal of fraud and Eleventh Amendment challenges to confirmation of Chapter 11 plan of Sherwin Alumina Company, LLC and Sherwin Pipeline, Inc. by Port of Corpus Christi Authority, which had sought to recover a significant easement, and successfully defended dismissal in appeals both to the district court and the Fifth Circuit.
- Obtained subordination of breach of contract and tort claims of over \$9 million on behalf of Linn Energy, LLC in the United States Bankruptcy Court for the Southern District of Texas, and successfully defended subordination decision on appeal.

- Served as trial counsel for GenOn Energy, Inc. successfully defending against over \$600 million in claims for fraudulent transfer and other business torts. At the end of the estimation trial, the United States Bankruptcy Court for the Southern District of Texas estimated the value of all claims at \$0, which paved the way for confirmation of the Chapter 11 plan.
- Authored amicus brief on behalf of Congregation Torah Vachessed synagogue and Jews for Religious Liberty challenging FEMA policy that had prohibited religious organizations from obtaining post-Hurricane Harvey aid. During the pendency of the case, FEMA revised its policy to allow religious organizations to receive aid on a non-discriminatory basis.
- On behalf of international energy company, argued and won jurisdictional challenge at the trial court and on appeal against a \$6.4 billion claim for the value of an oil and gas concession off the coast of West Africa.
- Prosecuted patent infringement lawsuit against major cellular phone manufacturer involving Bluetooth™ EDR technology and successfully developed and defended patent damages model resulting in \$15.7 million verdict for the client that was upheld by the Federal Circuit.
- Part of trial team that achieved \$9.2 million trial verdict against smartphone manufacturer for willful infringement of five patents related to HD Voice™ technology.
- Achieved favorable de minimis settlement at the close of discovery in defending petrochemical storage company in \$50 million environmental mass action arising from allegations of polluting the city's water supply.
- Successfully compelled to arbitration catastrophic injury and wrongful death cases brought against international specialty gas company arising out of plant explosion and then achieved favorable settlement.
- Represented international petrochemical storage company in dispute with competitor over railway access that resulted in favorable settlement.
- Authored amicus brief to the U.S. Supreme Court on behalf of the Greek Orthodox Church in America arguing courts should defer to church authorities in property disputes involving hierarchical churches to avoid entanglement.
- Part of team that obtained settlement of \$277 million and contract extension valued at over \$1 billion for major government contractor in one of the largest and most factually complex suits ever brought before the Armed Services Board of Contract Appeals.

Professional Honors & Affiliations

- "Texas Super Lawyer" in Business Litigation, *Thomson Reuters*, 2023
- *Best Lawyers in America* in Commercial Litigation & Bankruptcy Litigation, 2023-2024
- "Texas Rising Star," in Business Litigation by Thomson Reuters' *Super Lawyers*, 2014-2018
- Member: The Federalist Society

Presentations & Publications

- “Virtual Presentations: Please Stand Up,” *The Texas Lawbook*, September 1, 2021
- “Contracting Out of the Culture Wars: How the Law Should Enforce and Communities of Faith Should Encourage More Enduring Marital Commitments,” 30 HARV. J.L. & PUB. POL’Y 231, 2006