

## Christopher T. James Associate, Litigation Group

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Chris joined the firm's Litigation Group in October 2013. His practice focuses on representation of a variety of clients, from individuals to businesses involved in various types of employment and business related disputes.

Chris has represented clients in matters relating to enforcement of non-competition and non-solicitation agreements, misappropriation of confidential and proprietary information and trade secrets, breach of fiduciary duties, breach of contracts and related business torts. Chris also has experience representing clients in employment related claims of discrimination, harassment and retaliation under Title VII, the ADA, the ADEA, the FMLA and the Texas Labor Code, as well as wage and overtime claims under the FLSA and the Texas Payday Act.

Chris works directly with clients to provide counsel regarding various employment needs, including development of employee handbooks and other policies and with drafting of employment agreements for a wide variety of employee positions. Prior to joining the firm, Chris worked for four years at a large, national law firm's Houston office.

While in law school, Chris served as an Articles Editor on the University of Houston Law Review. Chris also co-authored an article published in the South Texas Law Review exploring the first amendment rights of publicity for professional athletes entitled, "Down Two Strikes, Is Major League Baseball Already Out?"

Chris is committed to providing his clients effective and efficient legal guidance, and always guiding his clients to the best possible business outcome by maintaining open and authentic communication.



### EDUCATION

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- JD, University of Houston Law Center (cum laude)
- BBA in Management, Texas A&M University (cum laude)

### AFFILIATIONS

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- Houston Bar Association
- Houston Young Lawyers Association



## RELEVANT REPRESENTATIVE MATTERS

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### BUSINESS LITIGATION

- Won a unanimous arbitration award on behalf of a former senior executive officer and director of a privately held bank with over \$1.0 billion in assets. Our client was sued by the bank in state district court for breach of fiduciary duty, misappropriation of trade secrets, and conversion following his resignation from the bank. In the state court proceeding, we successfully dissolved an ex parte restraining order and compelled the lawsuit to arbitration. In the arbitration, the bank sought over \$20,000,000 in damages and we asserted counterclaims against the bank for tortious interference with contract and failure to pay wages. After a five day arbitration and significant post-hearing briefing, the three member arbitration panel ruled in favor of our client on all claims and awarded all damages sought pursuant to our counterclaims.

### EMPLOYMENT LITIGATION

- Representing employers in various industries relating to the development of policies and procedures for determining contractor/employee classification and exempt/non-exempt employee classification.
- Represented tow-truck company in an investigation brought by the United States Department of Labor relating to the company's classification of its tow-truck drivers as independent contractors rather than non-exempt employees and its failure to compensate the contractors for overtime pay.
- Successfully settled a theft of trade secrets case in which a former employee downloaded the entire contents of his former employer's cloud-based information system to several different electronic devices just prior to giving notice of his resignation. In this dispute, former employee left a geosynthetic lining company to work for a competitor performing a substantially similar role in the same geographic region. Obtained a temporary restraining order and temporary injunction enjoining the former employee from using any of his former employer's confidential information while working at the competitor. Through the pendency of the suit, conducted an electronic forensic review of the former employee's electronic devices and cloud-based storage systems discovering evidence of spoliation. After a spoliation motion was filed, the matter was successfully resolved.

- Defended two Montgomery-area physicians against claims by their former employer. The former employer, a Conroe-area hospital, alleged the physicians breached a noncompetition and nonsolicitation agreement when they left to open their own practice. Successfully defended the physicians against the former employer's efforts to obtain an injunction. The case settled soon after the court denied the former employer's request for an injunction.
- Defended two Conroe-area physicians against claims by their former employer. The former employer, a Conroe-area hospital, alleged the physicians breached a noncompetition and nonsolicitation agreement when they started their own family practice. The hospital also claimed the physicians breached fiduciary duties of loyalty by unfairly competing with the hospital. The trial court denied the hospital's request for a temporary injunction, allowing the physicians to continue serving their patients and the Conroe area. The case settled soon after the denial of the temporary injunction.
- Defended two Montgomery-area physicians against claims by their former employer. The former employer, a Conroe-area hospital, alleged the physicians breached a noncompetition and nonsolicitation agreement when they left to work for another hospital. Successfully obtained a summary judgment that the physician noncompetition agreements were not enforceable because they did not contain a clause related to the continuing care of patients with acute illnesses. The case settled soon after the court granted the physicians' motion for summary judgment.
- Won a unanimous arbitration award on behalf of a former senior executive officer and director of a privately held bank with over \$1.0 billion in assets. Our client was sued by the bank in state district court for breach of fiduciary duty, misappropriation of trade secrets, and conversion following his resignation from the bank. In the state court proceeding, we successfully dissolved an ex parte restraining order and compelled the lawsuit to arbitration. In the arbitration, the bank sought over \$20,000,000 in damages and we asserted counterclaims against the bank for tortious interference with contract and failure to pay wages. After a five day arbitration and significant post-hearing briefing, the three member arbitration panel ruled in favor of our client on all claims and awarded all damages sought pursuant to our counterclaims.