## Jason N. Jordan

**Partner**

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PRACTICES Appellate, Litigation, Procurement and Supply Chain Management, U.S. Supreme Court, Power and Renewables Litigation, Franchise Litigation, Real Estate Litigation

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Jason Jordan is a versatile problem-solver with broad experience helping clients navigate complex legal issues and identify creative, practical approaches to achieve their objectives. Jason's practice spans all stages of dispute resolution, including pre-suit analysis and risk management, filing and defending against trial court and arbitration proceedings, and preparing briefing and presenting oral arguments to state and federal courts of appeals. He works with clients from various industries, including the financial, energy, franchisor, and transportation sectors.

Jason has a diverse background that has instilled in him an appreciation for persistence and careful planning, which are keys to effective advocacy. Jason is a first-generation college graduate and Pell grant recipient. He learned the value of a solid work ethic while growing up doing chores on a farm and ranch, and he came to appreciate the importance of strategy and good relationships while working in government affairs at the U.S. capital before law school.

After graduating first in his law school class, Jason completed judicial clerkships at the Texas Supreme Court and the U.S. Court of Appeals for the Fifth Circuit. He leverages the insights and experience he gained during these clerkships to develop arguments that will resonate with decision makers and to convey those points in a clear and persuasive manner. This contributes to Jason's track record of winning trial and appellate briefs on a variety of topics, ranging from breach of contract, breach of fiduciary duty, and tort theories to claims for trade-secret misappropriation and trademark infringement. When a case is not decided on written submissions, Jason has substantial experience presenting oral arguments to help clients prevail in court and arbitration proceedings.

Jason has presented on the topics of effective legal writing and oral advocacy, and he has co-written articles on post-trial motions and judgment formation that have been featured in the State Bar of Texas Litigation Section Journal and CLE courses focused on appellate practice.

Outside the office, Jason is active in the bar and his community. He is a past President of the Dallas Chapter of the Federal Bar Association, and he has twice co-chaired the Northern District of Texas Bench Bar Conference. Jason is also an active member of the Appellate and Litigation Sections of the State Bar of Texas and Dallas Bar Association. In addition, Jason was nominated and accepted for membership in the Texas Bar Foundation, and he is a member of the Texas Bar College.

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## QUALIFICATIONS

### EDUCATION

- J.D., Texas Tech University School of Law, valedictorian, *summa cum laude;* Order of the Coif; *Texas Tech Law Review*, Comment Editor
- B.S., Colorado State University, summa cum laude, University Honors Scholar, Boettcher Scholar

### CLERKSHIPS

- Judicial Clerk for the Honorable Jennifer Walker Elrod in the U.S. Court of Appeals for the Fifth Circuit

  Judicial Clerk for the Honorable Phil Johnson, Supreme Court of Texas

### ADMISSIONS

- Texas

### COURT ADMISSIONS

- U.S. Court of Appeals for the Fifth Circuit
- U.S. Court of Appeals for the Tenth Circuit
- U.S. District Court for the Eastern District of Texas
- U.S. District Court for the Northern District of Texas
- U.S. District Court for the Southern District of Texas
- U.S. District Court for the Western District of Texas
- United States Supreme Court

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## PUBLICATIONS AND SPEAKING ENGAGEMENTS

- "Texas Supreme Court Provides Important Guidance on the Attorney-Client Privilege," co-author, *The Texas Lawbook*, July 6, 2023.
- “Common Questions When Filing or Facing a Motion to Dismiss,” author and presenter, Tarrant County Bar Association CLE, January 2023.
- Civil Breakout Session, panel coordinator, Northern District of Texas Bench Bar Conference, 2022.
- "Making Your Case to an Appellate Panel," speaker, Dallas Association of Young Lawyers Trial Skills Boot Camp CLE, October 2021.
- "NDTX Judge Starr: A Famous Uncle, a Ragtop Beetle and a Career of Public Service," author, *The Texas Lawbook*, February 4, 2021.
- “Effective Formation of Judgments,” co-author and presenter, State Bar of Texas Advanced Civil Appellate Practice CLE, September 2020.
- “Effective Legal Writing,” panel moderator, Northern District of Texas Bench Bar Conference, January 2019.
- “Post-Trial Motions in Texas State Court,” author, *Headnotes: Tort & Insurance Practice*, December 2018.
- “The Right to *Brady* in the Age of Plea Bargaining,” speaker, Georgetown Law CLE, November 2018.
- “Top 10 Judgment Formation Landmines,” co-presenter, Dallas Bar Association Appellate Section meeting, April 2018.
- “Post-Trial Motions in State & Federal Court,” co-author and presenter, State Bar of Texas Civil Appellate Practice 101 CLE, September 2017.
- “Post-Trial Motions,” co-author, State Bar of Texas Litigation Section Journal, fall 2016.


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- “Prejudgment Interest and Other Judgment Battlegrounds,” co-author, The University of Texas School of Law State and Federal Appeals CLE, June 2015.
- “Post-Trial Motions: State & Federal,” co-author and presenter, State Bar of Texas Civil Appellate Practice 101 CLE, September 2015.
- “Texas Supreme Court Update,” co-author, State Bar of Texas Appellate Section *Appellate Advocate*, quarterly, 2015–2020.
- “A Pig in the Parlor or Food on the Table: Is Texas’s Right to Farm Act an Unconstitutional Mechanism to Perpetuate Nuisances or Sound Public Policy Ensuring Sustainable Growth?” author, 42 *Tex. Tech. L. Rev*. 943, 2010.
- “Federal Banking Preemption Goes Back to the Future: Is Dodd-Frank’s Preemption Provision and ‘Back to Barnett Bank’ Standard a Meaningful Rollback of Federal Preemption of State Law for National Banks?" author, Symposium paper presented to the Texas Banking Commissioner and distributed to the Texas Association of Bank Counsel, 2010.

## PROFESSIONAL AFFILIATIONS AND ENGAGEMENTS

- Dallas Bar Association Appellate Law Section, Advisory Council Member
- Texas Bar Foundation, Fellow
- Federal Bar Association, Dallas Chapter, Former President
- Northern District of Texas Bench Bar Conference, Planning Committee member and past Co-Chair
- Texas Appleseed, Emerging Leaders Council, Former officer
- State Bar of Texas Appellate Section, Pro Bono Committee

## SELECTED CLIENT REPRESENTATIONS

- Represented one of the world's largest restaurant franchisors in litigation arising from the closure of an entire market area, which involved a variety of contract and tort claims seeking as much as $50 million. Prevailed on all claims after a week-long bench trial, recovered all requested attorneys’ fees, and upheld the judgment on appeal to the U.S. Court of Appeals for the Fifth Circuit.
- Represented major public pension system in defending multiple state and federal lawsuits and appeals that challenged reforms affecting billions of dollars. Prevailed in defeating requests for injunctive relief, dismissing adverse claims, and upholding favorable rulings in the Texas Supreme Court and the U.S. Court of Appeals for the Fifth Circuit.
- Represented multinational energy company in arbitration, litigation, and multiple appeals related to a $350 million-dollar dispute concerning rights under a power purchase agreement.
- Assisted major power company in evaluating claims and defenses related to termination of a supply agreement worth hundreds of millions of dollars, which led to favorable pre-suit resolution.
- Represented commercial lender in securing mandamus relief to require the dismissal of claims against the lender arising from loans for millions of dollars.
- Represented international gaming technology company in consolidated appeals before the Texas Supreme Court, arising from tort claims seeking more than $500 million on behalf of more than 1,000 plaintiffs.
- Represented automobile manufacturer in appeals from a judgment of more than $200 million, which presented novel issues of Texas law concerning products liability, evidence, and damages. The matter was resolved by settlement while pending in the Texas Supreme Court.
- Represented one of the world’s leading suppliers of airline seats in a federal trial that resulted in a multi-million-dollar judgment against the opposing international commercial airline.


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- Represented a large bank in a successful appeal to the U.S. Court of Appeals for the Fifth Circuit, which arose from years-long litigation over loan agreements for a car dealership.
- Represented an international franchisor in the HVAC industry in multiple arbitrations and federal court litigation across the United States, which involved a variety of contract and tort claims. Each matter was favorably resolved.
- *XS Heavy Haul, Inc. v. Commercial Credit Group, Inc.,* No. 05-22-01263-CV, 2023 WL 8183271, at *1 (Tex. App.—Dallas Nov. 27, 2023, no pet. h.).
- *Dallas Police Retired Officers Ass'n v. Dallas Police & Fire Pension Sys.,* No. 05-22-00644-CV, 2023 WL 7401504, at *1 (Tex. App.—Dallas Nov. 9, 2023, no pet. h.).
- *Pizza Hut L.L.C. v. Pandya,* 79 F.4th 535, 538 (5th Cir. 2023).
- *Pizza Hut, LLC v. Ronak Foods, LLC*, No. 5:21-CV-00089-RWS, 2022 WL 18456981 (E.D. Tex. Dec. 22, 2022).
- *Pizza Hut, LLC v. Ronak Foods, LLC*, No. 5:21-CV-00089-RWS, 2022 WL 3544403 (E.D. Tex. June 17, 2022).
- *In re Commercial Credit Group Inc.*, No. 05-21-00115-CV, 2021 WL 1884657 (Tex. App.—Dallas May 11, 2021, pet. denied).
- *Degan v. Bd. of Trustees of Dallas Police & Fire Pension Sys.*, 594 S.W.3d 309 (Tex. 2020).
- *Zodiac Seats US, LLC v. Synergy Aerospace Corp.*, No. 4:17-CV-00410, 2020 WL 1703572 (E.D. Tex. Apr. 8, 2020).
- *Degan v. Bd. of Trustees of Dallas Police & Fire Pension Sys.*, 956 F.3d 813 (5th Cir. 2020).
- *Papalote Creek II, L.L.C. v. Lower Colorado River Auth.*, 918 F.3d 450 (5th Cir. 2019).
- *Matter of Dallas Roadster, Ltd.*, 846 F.3d 112 (5th Cir. 2017).
- *Lower Colorado River Auth. v. Papalote Creek II, L.L.C.*, 858 F.3d 916 (5th Cir. 2017).

## AWARDS AND RECOGNITIONS

- Recognized in *The Best Lawyers in America*, Woodward/White, Inc., Commercial Litigation, 2023-2024
- Recognized by The Legal 500, Legalese, 2022
- Hershell L. Barnes Ambassador Award Recipient, 2018
- Selected for inclusion in *Texas Super Lawyers*, Thomson Reuters, 2022-2023
- Selected for inclusion in *Texas Super Lawyers Rising Stars*, Thomson Reuters, 2017-2021
- Included among the *Texas Rising Stars* Up-and-Coming 100 list, Thomson Reuters, 2020-2021
- Included in the "Ones to Watch" category of *Best Lawyers in America*, Woodward/White, Inc., 2021-2022


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