



Philip Vickers | Partner, Fort Worth

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Philip Vickers is Vice-Chair of the firm's Litigation Section. He represents clients in commercial disputes primarily in the areas of intellectual property, oil & gas, shareholder litigation, and other complex business litigation. Philip also actively promotes pro bono programs both within the firm and in the Fort Worth legal community. Before joining Cantey Hanger, Philip served as law clerk to the Honorable Michael H. Schneider, U.S. District Judge for the Eastern District of Texas.

## PRINCIPAL PRACTICE AREAS

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- Commercial Litigation
- Appellate
- Intellectual Property
- Energy Litigation

## EDUCATION

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- The University of Texas School of Law (J.D., 2005)  
Texas Review of Law & Politics (Editor-in-Chief)
- Hillsdale College (B.S., 2002)

## EXPERIENCE

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Recent Representative Engagements:

- Representation of Sabre in breach of contract action relating to Lufthansa's imposition of a surcharge on customers who book tickets through Sabre.
- Representation of ExxonMobil in actions against attorneys general of New York, Massachusetts, and the US Virgin Islands challenging alleged violations of First Amendment rights about speech over climate change.
- Representation of working interest owners in claims against Chesapeake and Total E&P to recover for breaches of rights under joint operating and exploration and development agreements.

DALLAS • FORT WORTH

 MERITAS® LAW FIRMS WORLDWIDE

- Co-counsel on behalf of Berkshire Hathaway in defense of putative class action brought under ERISA.
- Representation of commercial real estate developer in dispute with former partner in connection with \$60+ million development. Matter resolved after defeating opponent's Anti-SLAPP motion to dismiss.
- Representation of national packaged food manufacturer in dispute over alleged violations of Uniform Trade Secret Act and employee non-competition agreement. Case reached confidential settlement after defeating opponent's motion for temporary injunction.
- Co-counsel on behalf of international entertainment franchise in dispute with franchisee over territorial rights. Matter resolved favorably before trial.
- Participate in independent investigations and analyses of abuse prevention policies and procedures on behalf of civic and religious institutions.
- Defended Electronic Arts Inc. against breach of contract and fraud claims where plaintiff asserted \$15 million in damages. Obtained summary judgment dismissing all claims before trial.
- Representation of auto parts manufacturer in claims for trademark infringement and unfair competition. Obtained verdict after trial affirming validity of registered trademarks and finding willful unfair competition.
- Representation of owner of mineral rights in West Texas in claims against life-tenant to recover for waste and to determine title.
- Representation of owners of mineral and water rights in title disputes and water and surface use agreements.
- Represented the City of Fort Worth and the Fort Worth Independent School District in suits filed in state court against Chesapeake Exploration and Total E&P for underpayment of royalties in connection with hundreds of oil and gas leases. Both cases settled favorably returning millions of dollars to taxpayers in past and future underpayments.
- Represented estate in dispute with IRS over tax owed on annuity. Case resolved favorably before trial.
- Co-counsel for Sabre in breach of contract and anti-trust actions brought against it by American Airlines claiming over \$1 billion in damages. Cases settled favorably during jury trial.
- Represented Wells Fargo Bank in litigation it filed in state court seeking declarations that certain investor owned life insurance policies having death benefits over \$40 million were valid and enforceable. Obtained favorable summary judgments and recovered \$3 million in attorneys' fees in a jury trial.
- Represented natural gas producer and midstream companies in a disputes over construction of a natural gas processing facilities in Tarrant and Parker counties.
- Representation of online retailer in claims for trademark infringement and unfair competition. Case settled favorably before trial, resulting in withdrawal of oppositions pending before the Trademark Trial and Appeal Board.
- Representation of software manufacturer in breach of contract suit against Dell Computer and in defense of claims for indemnity related to patent infringement. Case settled favorably after obtaining a ruling in our client's favor on Dell's motion to dismiss.
- Represented church in First Amendment/Religious Freedom Restoration Act case seeking to require public school to allow church to hold on-campus after school Bible club. Case resolved favorably after hearing on request for temporary injunction.
- Represented landlord of industrial property in claim against tenant for environmental

contamination. Case was resolved favorably before trial.

- Represented Williamson-Dickie in a suit against insurer for coverage for losses attributable to environmental contamination. Case settled favorably before trial.
- Representation of small business owners in disputes with partners and former managers over breaches of fiduciary and contractual duties.
- Representation as local counsel for technology companies in patent disputes in the Eastern and Northern Districts of Texas.

## BAR ADMISSIONS & CERTIFICATIONS

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- Texas, 2005
- U.S. Supreme Court
- U.S. Court of Appeals, Fifth Circuit
- U.S. District Courts for the Northern, Eastern, Southern, and Western Districts of Texas

## PROFESSIONAL & COMMUNITY INVOLVEMENT

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### Professional Affiliations

- Texas Bar Foundation, Fellow
- Federalist Society – Fort Worth Chapter
- Tarrant County Volunteer Attorney Services (TVAS) Committee, Member and Former Chair
- Tarrant County Bar Foundation, Past Director
- Eldon B. Mahon Inn of Court, Former Barrister
- Intellectual Property Law Section of the Tarrant County Bar Association, Former Chair
- Tarrant County Young Lawyers Association, Former Director

### Community Involvement

- Texas Board of Physical Therapy Examiners, Board Member
- Texas Executive Council of Physical Therapy and Occupational Therapy Examiners, Board Member
- Austin Graduate School of Theology, Trustee
- Arts Council of Fort Worth & Tarrant County Grants Review Panel, Former Member
- Legal Aid of NorthWest Texas, Volunteer Attorney

### Honors

- Martindale Hubbell “AV” Preeminent Rating
- “Rising Star” in Business Litigation, Super Lawyers by Thomson Reuters, 2013-2019
- “Top Attorneys” List in Litigation, Fort Worth, Texas magazine, 2011-2018
- “Top Attorneys” List in Commercial Litigation, 360West magazine, 2018
- Leadership Fort Worth – Leading Edge, Class of 2013

- “40 Under 40” Honoree, Fort Worth Business Press, 2016

## NEWS

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- Cantey Hanger Partner Featured by Super Lawyers for Promoting Pro Bono
- Four Cantey Hanger Attorneys Selected Rising Stars
- Cantey Hanger Attorneys Listed in Fort Worth Inc. Magazine
- Cantey Hanger Partner, Philip Vickers Sits On A Law Panel Sponsored By The Fort Worth Business Press
- ExxonMobil Defeats Personal Jurisdiction Challenges
- Four Cantey Hanger Attorneys Selected Rising Stars
- 3 Cantey Hanger Attorneys Selected Rising Stars
- 3 Cantey Hanger Attorneys Selected Rising Stars
- 6 Cantey Hanger Attorneys Selected Rising Stars
- Cantey Hanger is pleased to have 9 lawyers named “Rising Stars” in Super Lawyers Magazine, a Thomson Reuters service

## PUBLICATIONS & PRESENTATIONS

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- Speaker, “Recent Significant U.S. Supreme Court Opinions for Litigators”, Meritas Litigation Section Annual Meeting, Oct. 2018.
- Panelist, Fort Worth Business Press “Business for Breakfast: Law Panel”, July 18, 2018.
- Panelist, “Words, Phrases & Rhetorical Ploys That Will Make Some Judge’s Skin Crawl. Are You Playing Russian Roulette With Your Briefing?”, Eastern District of Texas Bench Bar Conference, Oct. 4, 2017.
- Co-Author, For the Good of Your City: How Law Firm Pro Bono Can Impact Clients and the Community, 79 Tex. B.J. 364, May 2016.
- Speaker, “Texas E-Filing Basics”, Texas Forum, State Bar of Texas—Standing Committee on Paralegals, Feb. 28, 2014.
- Speaker, “Pro Bono Family Law Basics”, Tarrant County Volunteer Attorney Services volunteer CLE presentations, 2013-2018.