



John B. Thomas
Hicks Thomas, LLP

CAREER HIGHLIGHTS

John B. Thomas is the co-founder of Houston-based commercial litigation boutique Hicks Thomas LLP. Known for his deep experience in handling complex commercial litigation, Mr. Thomas and the firm's lawyers represent both defendants and plaintiffs in litigation spanning a broad range of industries. Mr. Thomas is an Associate Member of the American Board of Trial Advocates (ABOTA), has long been recognized by Chambers USA, Lawdragon's 500 Leading Lawyers in America, Best Lawyers in America for his work in Commercial Litigation and Intellectual Property Litigation, and has been selected as a Texas Super Lawyer by Thompson Reuters for every year since its inception. John was recently included in Lawdragon's 2025 100 Managing Partners You Need to Know guide.

Chambers USA quotes litigation clients as saying:

- "When you think about a lawyer who is a consummate professional, you think of John. You can throw him into any situation."
- "John is professional, well prepared and thorough."
- "His advice is invaluable for us in terms of what to pursue and when to walk away."
- "He's an excellent trial lawyer. He's very thorough, organized..."
- "John is extremely professional yet very personable."
- "He is also creative and will think outside the box in providing us solutions."
- "He is highly strategic and detailed."

PROFESSIONAL WORK HISTORY / EDUCATION

Hicks Thomas, LLP

Founding partner, June 1997 to present

Andrews & Kurth

(n/k/a Hunton Andrews Kurth) Sep 1987 - May 1997

- Partner, 1992-1997
- Associate, 1987-1992

Law Clerk to Hon. Edith H. Jones, United States Court of Appeals for the Fifth Circuit
Houston, Texas, 1986-87

Admissions/Licensures

Admitted to State Bar of Texas
Admitted to State Bar of California

Court Admissions

United States Court of Federal Claims
United States Court of Appeals for the 5th Circuit
United States Court of Appeals for the 7th Circuit
United States Court of Appeals for the 9th Circuit
United States Court of Appeals for the Federal Circuit

United States District Court for the Southern District of Texas
United States District Court for the Northern District of Texas
United States District Court for the Eastern District of Texas
United States District Court for the Western District of Texas

United States District Court for the Southern District of California
United States District Court for the Northern District of California
United States District Court for the Eastern District of California
United States District Court for the Central District of California

Supreme Court of Texas



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700 Louisiana, Suite 2300
Houston, TX 77002
www.hicks-thomas.com
Web Bio

CASE HIGHLIGHTS

Zachry Group, representation of various entities, including:

- Lead Counsel in \$3 Billion claim for fraudulent conveyance in connection with the EPC contract for the construction of Golden Pass Terminals, LLC (owned jointly by Qatar Energy, Inc. and Exxon Mobil Corporation). Litigation of claims paved the way for the Zachry entities to structure a plan of reorganization to emerge from Chapter 11 Bankruptcy.

- Obtained Dismissal of \$1.3 Billion subrogation claims brought in the name of Freeport LNG entities by insurance companies that paid claims for plant explosion and shut down. The arguments and ultimate ruling were premised on enforcement of EPC contracts that contained waivers of consequential.

EPC Joint Venture:

- Advised member companies in connection with force majeure claims related to the construction of the Freeport LNG facility in Freeport, Texas.

Mattress Firm, Inc. (the country's largest mattress retailer), in numerous matters including:

- National counsel for real estate disputes resulting from business shutdown caused by the COVID-19 pandemic.

- Representation of the company in a highly publicized litigation against its long-time supplier Tempur-Sealy, Inc. after news of the breakup resulted in TSI stock dropping nearly \$1 billion in market capitalization.

- Defeated claims for trade dress violations in connection with the company's launch of Therapedic™ brand of memory foam mattress.

JP Morgan Chase before the International Arbitration Association involving its claim for damages for breach of the joint venture agreement that established one of the largest credit card portfolios in the world.

National Counsel for Privately Held Chemical Company, including:

- More than 25 years of experience defending environmental and toxic tort claims in jurisdictions from California to New York.
- Defeated \$300 million water contamination case brought by a California municipality in San Francisco Superior Court, with bifurcated proceedings lasting over ten years:
 - The case included 2 multiple month jury trials; and
 - Three bench trials.

Hilmar Cheese Company as regular outside litigation counsel in matters including:

- Shareholder dispute regarding events triggering provision of buy-sell agreement.
- Property damage claims related to a fire at the company's Hilmar, California manufacturing facility.
- Antitrust matter relating to shipper claims of monopolization of the market price of milk.

Ina-Naftaplin (the Croatian National Oil Company "INA") in international arbitration tried in London and New York and involving claims that INA was guilty of tortious interference with a Texas company's alleged rights to a Syrian oil concession.

King Ranch, Inc. against Exxon when the ranch barred its mineral lessee's access to the Ranch based on claims of improper operating practices.

Union Pacific Railroad in litigation against a major Gulf Coast plastics shipper who claimed over \$100 million in damages for the alleged breach of a favored nation's clause in a rail transportation contract.

Occidental Petroleum in international arbitration against BP following its \$3.6 billion acquisition of Permian-based assets.



CONFIDENTIAL: Represented the Independent Directors of a publicly held corporation in connection with numerous proceedings spawned by federal investigations and lawsuits resulting from allegations that the company engaged in improper commodity trading practices.

CONFIDENTIAL: Representation of various clients in connection with investigations of various state and federal regulatory agencies, including the Securities and Exchange Commission, and the Commodity Futures Trading Commission.

REPRESENTATIVE CLIENTS

Zachry Group, and related entities
Black & Veatch, and related entities
Enterprise Products Partners, and related entities
Hilmar Cheese Company
Westlake Chemical
JP Morgan Chase
PNC Bank
Mattress Firm, Inc.

