



Nicholas Sarokhanian

Partner

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Dallas, TX

A seasoned litigator, Nick helps businesses navigate and resolve high-stakes disputes with competitors, consumers and governments in trial and appellate courts across the United States. He represents clients in trade secret and restrictive covenant disputes, breach of contract and fraud litigation, as well as multidistrict litigation (MDL) and class actions. His extensive courtroom and trial experience includes state and federal jury and bench trials as well as arbitration hearings.

Nick represents and advises clients in a variety of sectors, with a concentration in the real estate, health care and life sciences, financial services, technology and energy sectors. Clients rely on his big-picture thinking and ability to absorb, process and connect seemingly disparate facts, issues and risks to develop comprehensive strategies and solutions for tough, intractable and novel problems.

Co-chair of the firm's Artificial Intelligence Practice, Nick advises clients on the rapidly evolving issues surrounding AI adoption and usage, and provides practical guidance on how to harness AI while managing the associated risks. Nick is a frequent speaker and writer regarding legal issues and opportunities related to AI, and is a regular attendee to leading industry and legal conferences regarding AI.

Services

- Litigation
- Privacy & Data Security
- Artificial Intelligence
- Health Law
- Fintech & Digital Assets
- Financial Services Litigation

Before Fox Rothschild

Nick joined us from a national law firm where he was Chair of the Artificial Intelligence Practice. He previously practiced at global law firms.

Bar Admissions

- Minnesota
- Texas

Court Admissions

- U.S. Court of Appeals, Fifth Circuit
- U.S. Court of Appeals, Fourth Circuit
- U.S. District Court, District of Minnesota
- U.S. District Court, Northern District of Texas
- U.S. District Court, Eastern District of Texas
- U.S. District Court, Western District of Texas
- U.S. District Court, Southern District of Texas

Education

- Baylor University School of Law (J.D., *cum laude*, 2010)
- Virginia Tech (B.A., *cum laude*, 2007)

Memberships

- The REAL Mental Health Foundation, Ambassador
- St. Croix Catholic School, Director
- Dallas50 Networking Group, Founder and Co-Chair
- Dallas Association of Young Lawyers
 - Judiciary Committee, Former Co-Chair
 - Attorneys for Career Enhancement Committee, Former Co-Chair
 - Lawyers on Loan Committee, Former Co-Chair

Languages

- Armenian

Accomplishments

- State Bar of Texas Pro Bono College, 2014-2015
- State Bar of Texas Care Campaign Pro Bono Commitment, 2014

Honors & Awards

- Selected to the "Super Lawyers - Rising Stars" list in Texas (2015-2024)
- Selected to the "Super Lawyers - Up and Coming Top 100" list (2017-2018)
- Selected to the "Best Lawyers in Dallas Under 40 in Commercial Litigation" list by *D Magazine* (2019)

Publications

April 21, 2020

Fifth Circuit Approves "Snap Removals" of Diversity Cases by Non-Forum Defendants

The Texas Lawbook

April 17, 2017

D Magazine Ruling Sheds Light on Texas Anti-SLAPP Statute

Law360

March 1, 2015

Fighting Back: The Dallas Bar Equips Today's Young Lawyers for the Future's Civil Jury Trials

Texas Bar Journal

November 6, 2014

Using the CFAA to Stop Data from Walking Out the Door

Corporate Counsel

Representative Matters

Trade Secret and Noncompete Litigation

- Representing a FinTech business and executives in restrictive covenant litigation in Minnesota with associated matters pending in Canada and Delaware.
- Representing a leading real estate brokerage in Maryland federal court in restrictive covenant and unfair competition lawsuit against former manager and competing brokerage.
- Represented a leading real estate brokerage company in Texas federal court in trade secret and restrictive covenant litigation against several former sales managers and a competing real estate brokerage.
- Settled multijurisdictional litigation on behalf of a leading, publicly traded real estate brokerage company, several of its subsidiaries and members of its board of directors against a competing real estate brokerage group. The matter involved the competitor's coordinated, nationwide scheme to poach top real estate agents and employees and interfere with clients' restrictive covenant agreements, exclusive listing agreements for properties, and misappropriate clients' trade secret and confidential information.
- Obtained a preliminary injunction, which was upheld in a unanimous, published opinion on behalf of a leading real estate brokerage company in Texas federal court litigation enforcing restrictive covenants against a former executive who left for a direct competitor. The matter was ultimately resolved via an agreed permanent injunction against the former employee and on other confidential terms.
- Obtained a preliminary injunction upheld on appeal for a major title and escrow services company in Texas state court in trade secret and restrictive covenant litigation.
- Obtained a preliminary injunction on behalf of a major private equity-owned building products distributor in multijurisdictional, high-stakes trade secrets and antitrust litigation. Obtained the preliminary injunction against a group of former executives and salespeople. The matter was resolved on terms favorable to the client.
- Represented a fintech client in Texas state court and obtained a preliminary injunction in trade secrets and restrictive covenant litigation against a founder who defected for a direct competitor and took sensitive trade secret information from the client. The matter was resolved via an agreed permanent injunction and other confidential terms.
- Represented a major wholesale insurance broker in multijurisdictional trade secret and restrictive covenant litigation and obtained a preliminary injunction against a group of former brokers who defected for directly competing brokerage.
- Represented a leading real estate brokerage company in New York federal court litigation involving antitrust and unfair competition allegations.
- Represented a leading school yearbook publisher in arbitration in Minnesota to enforce restrictive covenants against a former sales representative and recover commissions.
- Represented a private equity-backed oil and gas services company in matters to enforce restrictive covenants against former executives and employees.
- Represented an executive of an intraoperative neuromonitoring company in noncompete litigation in Texas state court.

Asset Recovery, Distressed Company and Insolvency Litigation

- Representing an owner of several distressed parking ramps in Minneapolis in receivership and associated litigation.
- Represented a foreign representative of a Norwegian corporate debtor in Chapter 15 proceedings in U.S. Bankruptcy Court for the Southern District of New York, involving the first known Chapter 15 recognition of an insolvency proceeding in Norway and a \$40 million claw back and \$400 million-plus tort litigation against two major private equity funds, and took trial testimony of former board members and executives in Oslo District Court.
- Prevailed at trial in the U.S. Bankruptcy Court for the Northern District of Texas on behalf of a creditor client in litigation involving the revocation of a discharge wrongfully obtained by debtor's complex fraudulent scheme and layered alter egos, reviving multimillion-dollar judgment held by client.
- Prevailed at trial in Texas state court for a major national bank in litigation involving allegations of fraudulent transfers following an Article 9 sale to a third party.
- Represented a major international bank in U.S. Bankruptcy Court for the Eastern District of Texas in litigation to recover real estate pledged as collateral to a multimillion-dollar commercial loan and to enforce guaranty of the loan.

- Represented a major national bank in Texas federal court litigation to enforce guaranties of credit facility involving a failed auto dealership.
- Represented a major national bank in Texas federal court and state court in litigation to enforce guaranties of a \$26 million commercial real estate loan.
- Secured summary judgment awarding full recovery for a creditor client on pledged accounts receivable in Mississippi federal court.

Financial Services Litigation

- Represented a major national bank in Texas federal and state courts in Fair Credit Reporting Act (FCRA) and defamation litigation. Obtained summary judgment that was upheld on appeal.
- Represented a major international bank and its subsidiaries in Texas federal and state courts in mortgage and Real Estate Settlement Procedures Act (RESPA) litigation, securing dismissals of multiple lawsuits brought by borrowers.
- Represented a major Wall Street brokerage in Texas federal court in mortgage litigation, securing dismissal of a lawsuit brought by a borrower.
- Represented a major broker dealer in FINRA arbitration.
- Prevailed at trial in Texas state court for a loan servicer client in a breach of contract lawsuit involving indemnification obligations.
- Obtained summary judgment that was upheld on appeal on behalf of a state bank in Texas state court litigation brought by a competing bank involving loan participation agreements.

Other Business Litigation

- Representing a significant chain of restaurants in litigation related to alleged e. Coli injuries and business losses caused by a beef supplier.
- Represented a major international footwear company in Texas federal court litigation involving alleged breaches of contractual rights of first refusal.
- Prevailed on appeal – in a published opinion from the U.S. Court of Appeals for the 4th Circuit– on behalf of a major tire manufacturer, affirming summary judgment on employee's Title VII claims.
- Represented a major international food company in Texas state court litigation against neighboring landowners for lost profits resulting from landowners' negligent burning of forest and impact on a client's bottled water factory.
- Prevailed via early dismissal under Texas' anti-SLAPP statute in a widely reported defamation suit against a prominent talk-show host and related media company.
- Helped secure a favorable jury verdict for a national retail electric provider in a Texas federal court jury trial and separate Texas state court jury trial.
- Represented a major outdoor equipment manufacturer in a personal injury lawsuit in federal court; the matter resolved on confidential terms.
- Represented a publicly traded oil and gas company, an independent Texas exploration and production company, in a lawsuit against a contractor over excessive delays in completing a pipeline in the Gulf of Mexico; the matter resolved on confidential terms.
- Defended a major oil and gas company in a lawsuit over unpaid joint interest billings and other Council of Petroleum Accountants Societies (COPAS) accounting issues; the matter resolved on confidential terms.
- Represented a major insurance company in dispute involving the commercial lease of a data center and resolved the matter favorably at pre-suit mediation.
- Represented a commercial real estate developer in Texas state court litigation against a major tenant for breach of a long-term lease; the matter resolved on confidential terms.

Health Care Litigation and Other Life Sciences Matters

- Prevailed at jury trial in Texas state court for a major, publicly traded hospital group in a lawsuit over the purchase of a unique alcohol and drug treatment hospital, as well as allegations of breach of contract, fraud and illegal wiretapping.
- Represented a significant behavioral management company in a confidential American Health Lawyers Association (AHLA) arbitration over the termination of a multiyear services agreement.
- Represented a major optical products manufacturer in a Telephone Consumer Protection Act (TCPA) class action in Illinois federal court.

- Represented home health care agencies in franchise litigation in Florida state court and American Arbitration Association (AAA) arbitration in Georgia relating to Medicare certification and other breaches of contract.
- Represented a physicians and medical device company in patent ownership litigation in Texas federal court.
- Represented major medical device manufacturers against allegations of defective design and manufacturing defects in state and federal courts across the United States.
- Represented, as a core member of national counsel team, a specialty pharmaceutical manufacturer in thousands of lawsuits across the country and in lawsuits consolidated in federal and state multidistrict litigation.
- Represented major pharmaceutical companies in product liability class actions and multidistrict litigations.
- Represented a major insurance company in fraud, waste and abuse litigation against providers in Texas federal court and in American Arbitration Association (AAA) arbitrations.
- Represented a major managed care organization in AAA arbitration involving recoupment of reimbursements.
- Defended a board-certified pediatric anesthesiologist against criminal and civil allegations of running a "pill mill" brought by the U.S. Attorney's Office.