



## JASON FULTON

### Partner

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Jason Fulton is a litigation partner in the Dallas office of Diamond McCarthy. He handles all types of commercial disputes for plaintiffs and defendants in state court, federal court and arbitration, and has particular experience in representing partners and shareholders in disputes related to real estate and other closely held businesses.

Jason was co-counsel for the plaintiff in a six-week trial that resulted in a jury awarding a \$65 million dividend to the shareholders and more than \$2 million in additional damages to the minority shareholder. In a case pending in the U.S. District Court for the District of Puerto Rico, he provides ongoing representation of a real estate development company in an action against a bank for fraud and breach of contract.

Jason joined Diamond McCarthy in 2008 after working in the Dallas office of a national commercial litigation firm. Prior to becoming an attorney, he worked on the options floor of the Philadelphia Exchange and the Pacific Exchange, and in commercial paper for a major issuer, giving him insight into securities, derivatives products and debt instruments.

Jason is licensed to practice law in Texas and is also admitted to practice before the Northern, Southern, Eastern and Western Districts of Texas, the 5th Circuit, and the U.S. District Court for the District of Columbia.

#### Representative Cases

- Co-counsel for Plaintiff in a six week trial that resulted in a jury finding awarding a \$65 million dividend to the shareholders and more than \$2 million in additional damages to the minority shareholder. The case was brought on behalf of a minority shareholder against the majority shareholder and the corporation for claims of shareholder oppression, fraud, breach of fiduciary duty, and breach of contract. The jury found Diamond McCarthy's client entitled to a substantial dividend, back pay, and attorney's fees. See Jury sides with Dallas businessman in ARGO Data case. Dallas Morning News, October 30, 2009.
- Ongoing representation of a real estate development company in an action against a bank for fraud and breach of contract, pending in the United States District Court for the District of Puerto Rico.

#### Location

Dallas, Texas

#### Education

The University of Texas School of Law (J.D., *with high honors*, 2003)

- Order of the Coif,
- Texas Law Review  
2001-2003

University of Pennsylvania (B.A. in Economics and Political Science, 1997)

#### Areas of Practice:

- Complex & High-Stakes Litigation
- Bankruptcy, Third Party & Professional Liability
  - Antitrust
  - Class Actions
  - Energy & Environmental
  - Intellectual Property
  - Securities & Regulatory

#### Admitted to Practice:

Texas

U.S. Court of Appeals, 5th Circuit

U.S. District Court for the District of Columbia

U.S. District Courts for the Eastern District of Texas

U.S. District Courts for the Northern District of Texas

U.S. District Courts for the Southern District of Texas

U.S. District Courts for the Western District of Texas

- Represented national real estate developer of apartments and condominiums in partnership dispute with co-developer over obligations related to two buildings in Victory Park in Dallas, Texas.
- Defended a national homebuilder against fraud and misrepresentation claims in a mass action arbitration lasting seven weeks.
- Obtaining a favorable settlement for a hedge fund in NASD arbitration against a global financial services firm for trading errors.
- Represented a class of cable subscribers in an antitrust suit against a national cable company.
- Represented a medical device maker in an antitrust suit against a global healthcare products company.
- Represented relators and defendants in whistleblower suits brought under the False Claims Act.