# DIAMOND McCARTHY LLP



# **Justin Strother**

Partner

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#### **Related Practices**

Complex Commercial Litigation

Alternative Dispute Resolution, US Domestic Arbitration, and Mediation

Fiduciary and Receiver Representation

## **Related Sectors**

Real Estate

#### Education

- The University of Texas at Austin (BBA in Finance, 1995)
- The University of Texas School of Law (JD, 1998)
- University College of London, International Law Program (1997)

Justin represents businesses, investors, and entrepreneurs in high-stakes litigation and arbitration nationwide. He prosecutes and defends complex disputes involving fraud, breach of contract, fiduciary duties, professional liability, business divorces, restrictive covenants, trade secrets, tortious interference, and intellectual property. He is a forceful advocate from pre-litigation strategy through trial and appeal, securing results in bet-the-company cases and high-value disputes.

Beyond the courtroom, he serves as outside general counsel, advising clients on governance, transactions, and risk management. He structures and negotiates acquisitions, leads corporate restructurings, navigates regulatory challenges, and preempts litigation before it starts. His strategic counsel positions businesses for growth while protecting them from legal and financial exposure.

Justin often serves as a mediator in a wide variety of commercial litigation matters and as an arbitrator, including in legal fee disputes.

Board Certified in Civil Trial Law by the Texas Board of Legal Specialization



**CIVIL TRIAL LAW** 

#### **Representative Experience**

- Currently representing a real estate investor and developer in an ongoing dispute with a co-investor involving their multimillion-dollar development.
- Successfully obtained an arbitration award in favor of a medical management company against a large group of physicians who breached their payment obligations.
- Successfully obtained a settlement on behalf of an international charity against its financial institution for fraudulent misappropriation of funds.

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- Successfully settled a multi-million dollar lawsuit on behalf of a client who sold its hotel against purchaser who had breached its payment obligations.
- Successfully settled a lawsuit on behalf of a founder of a Silicon Valley company against his co-founders, who sold his interest to a publicly traded company against his desires.
- Successfully settled a lawsuit on behalf of a commercial real estate owner, securing lengthy lease extensions as part of the resolution.
- Successfully defended a judgment on appeal in a case on behalf of client against purchaser of client's commercial real estate.
- Represented the trustee in an SEC receivership to recover assets and to assess and pursue claims against service providers.
- Represented a False Claims Act whistleblower in multi-state litigation, including in appellate courts.
- Currently representing a hotel developer in an ongoing multimillion-dollar arbitration with investors.
- Currently representing financial institutions in a lawsuit against an auditor for negligent misrepresentation.
- Currently representing a cryptocurrency company in litigation against departing officers for breaches of fiduciary duty and misappropriation of trade secrets.
- Obtained jury verdict in favor of purchaser of business in fraudulent misrepresentation lawsuit
- Defended real estate brokerage and architect at trial against architectural copyright claims in federal court
- Defended oil and gas investor in jury trial against fraud claim brought by lender
- Obtained jury verdict in favor of business owner against co-owner for breach of purchase agreement
- Obtained jury verdict in favor of resort developer at trial against breach of loan agreement claims
- Defended company against a minority shareholder oppression suit in which a former owner was seeking additional payment for interest in company after closing of sale
- Obtained a temporary restraining order and temporary injunction on behalf of a private ambulance service against two former employers who were attempting to compete in violation of non-compete contract provisions
- Obtained a settlement payoff in a breach of contract case on behalf basketball flooring company regarding the installation of gymnasium flooring in a new public school
- Obtained a judgment in favor of an individual against a trustee in a breach of fiduciary duty case, including the award of attorney's fees
  - Negotiated and closed the purchases by client of two of its competitors
- Obtained a judgment on behalf of a trustee against an individual for fraud and conversion, and seized the individual's Texas assets
- Defended a company against a competitor who had sought to enforce a covenant-not-to-compete and who had sought to disgorge company's profits
- Obtained order requiring wind down and liquidation of company on behalf of coowner who had been deprived of control within company

#### **Professional Associations**

- Certified Mediator University of Houston Law Center (2007)
- Houston Bar Association Administration of Justice Committee (2009-2010)
- Houston Bar Association Continuing Legal Education Committee (2010-2017); co-chair of Institutes Subcommittee (2016-2017)

- Houston Bar Association Fee Dispute Committee (2012-2020); co-chair (2018-2019)

### **Bar Admissions**

- Texas

### **Honors and Awards**

- Texas Super Lawyers "Rising Star," Thomson Reuters (2004)