



#### Location

Houston, Texas

#### Education

Columbia University  
School of Law (J.D.,  
2009)

- Kent Scholar
- Stone Scholar

The University of Texas at  
Austin (B.S. in Human  
Biology, *University  
Honors*, 2004) Dean's  
List

#### Areas of Practice:

Complex & High-Stakes  
Litigation

- Bankruptcy, Third Party  
& Professional Liability

#### Admitted to Practice:

Texas

U.S. District Courts for the  
Northern, Southern,  
Eastern and Western  
Districts of Texas

## BENJAMIN R. GARRY

### Partner

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Benjamin R. Garry is a partner in Diamond McCarthy's Houston office whose practice is focused on complex commercial and insolvency related litigation.

Since joining Diamond McCarthy in 2009, Ben has successfully prosecuted and defended a range of matters in federal appellate, district, and bankruptcy courts across the country, as well as in state courts throughout Texas, including:

- Representing a creditors committee and then liquidating a trust in fraudulent transfer, breach of fiduciary duty, and malpractice actions brought in a Kentucky bankruptcy court against the debtors' insiders and professionals arising out of the collapse of a national coal company
- Representing a litigation trust in a billion-dollar fraudulent transfer action arising from a leveraged buyout of a large real estate holding company in a Texas bankruptcy court
- Representing a bankruptcy trustee in a malpractice/breach of fiduciary duty suit against the debtor's former counsel and insiders in connection with a large law firm bankruptcy pending in bankruptcy court in the Northern District of California
- Representing a Japanese credit union as a defendant in a fraudulent transfer action brought in the Southern District of New York bankruptcy court
- Representing a minority owner of an insurance brokerage in a breach of contract and breach of fiduciary duty action against the majority owner in a state court action in Tarrant County
- Representing a liquidating trust in collection actions against defaulting fraudulent transfer defendants in bankruptcy and state courts in Nevada
- Representing a national agricultural company as a plaintiff in multiple conversion actions related to the theft of spent cooking oil in Texas state actions
- Representing an inventor in a trade secret misappropriation suit in Texas state court
- Representing a national agricultural lender in defense of a fraudulent transfer suit in bankruptcy court in the Southern District of Texas
- Representing a plaintiff/relator in a *qui tam* action against a local government in the Southern District of Florida

Ben joined Diamond McCarthy after graduating from Columbia University School of

Law. At Columbia, he was a Kent Scholar, a Stone Scholar and a national champion in the Constance Baker Motley Moot Court Competition. Before entering law school, Ben spent two years in Washington, D.C., with Booz Allen Hamilton as a technical consultant to the Defense Advanced Research Projects Agency.

Ben is licensed to practice in all federal and state courts in Texas, as well as the 6<sup>th</sup> Circuit Court of Appeals, and is a member of the State Bar of Texas.

**Affiliations:**

- State Bar of Texas
- Leadership Houston (Class XXXIII)
- Winlow Place Civic Club, Vice President
- Houston Young Lawyers Foundation, Secretary and Trustee

**Awards / Honors**

Selected as a 2016 "Texas Rising Star" by SuperLawyers.