



## Nicholas D. Stepp

**PARTNER**

HOUSTON, TX

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### OVERVIEW

A recognized appellate attorney, Nick helps clients navigate their most complex courtroom challenges.

He guides clients in technology, oil and gas, and engineering – among others – through litigation and appeals in state and federal courts, including the Supreme Court of Texas. His commercial litigation and appellate practice includes assisting clients with a broad range of critical matters:

- Consumer fraud
- Trade secrets
- Contract disputes
- Defamation
- Breaches of fiduciary duty
- Constitutional law
- Administrative law
- Government regulation

Nick has assisted clients in the automotive, aerospace, construction and healthcare sectors. Clients appreciate that he considers legal strategy against client business demands in order to meet litigation goals. Legal teams value his experience and insight regarding nuanced case strategy.

### Industries

Manufacturing  
Technology  
Transportation

### Services

Appellate  
Commercial Litigation  
Construction Litigation  
Litigation & Alternative Dispute  
Resolution

## Experience

### OIL AND GAS

- Represented catalyst activation company in Fourteenth Court of Appeals at Houston against claims for breach of fiduciary duty, breach of confidentiality agreements, misappropriation of trade secrets and theft of trade secrets.
- Represented oil and gas exploration and production company in trade secrets and tortious interference case and defeated review of \$4.5 million jury verdict in Supreme Court of Texas.
- Represented client in winning Daubert challenge to plaintiff's expert in antitrust and tortious interference case, leading to favorable settlement.

### AEROSPACE

- Represented aircraft systems manufacturer in obtaining antisuit injunction preventing client from exposure to repeat litigation in Indonesia.

### CONSTRUCTION

- Represented home construction company in defending disqualification of plaintiff's law firm on appeal in First Court of Appeals at Houston.
- Represented home builder in commercial dispute involving noncompliance with condition precedent and obtained affirmance of take-nothing judgment.

### AUTOMOTIVE

- Represented automobile manufacturer in obtaining complete defense verdict in breach of warranty case with significant follow-on litigation potential.

### CONSTITUTIONAL LAW

- Represented internet publisher in multistage appeal.
- Obtained dismissal of defamation case brought by public official that protected First Amendment rights of online publishers.

## Experience

- Defeated temporary restraining order during a four-day hearing in Dallas County that would have released 2200+ inmates irrespective of offense, sentencing, or risk to general population.
- Won Fifth Circuit appeal brought by guarantor seeking to invalidate judgment in favor of Texas lender client. The initially straightforward matter involved a collection on commercial guaranty, but quickly became complicated with multi-state litigation and emerging public policy considerations.

## GOVERNMENT

- Represented head of county commissioners court in the Supreme Court of Texas; opinion clarified separation of powers provision in Texas Constitution and district court's subject matter jurisdiction over commissioner court as governmental entity, resulting in dismissal.
- Represented public official in obtaining injunction restraining enforcement of statute prohibiting use of audiovisual recordings of Texas legislative sessions.

## HEALTHCARE

- Represented defendant's insurer in winning mandamus relief vacating trial subpoena.

## Recognition

- *Best Lawyers: Ones to Watch® in America*
  - Appellate Practice, 2022-2025
  - Commercial Litigation, 2022-2025
- Thomson Reuters' *Texas Super Lawyers*
  - Rising Star, 2017-2022
- Texas Bar Foundation, Fellow
- Kristi Couvillon Pro Bono Award, Texas Civil Rights Project, 2013

## Education

- J.D., University of Texas School of Law
  - *Texas Law Review*, Book Review Editor
- M.Div., Wake Forest University
  - *magna cum laude*
  - Samuel and Sarah Wait Graduate Fellowship
- B.A., Carson–Newman University
  - *magna cum laude*
  - Mathematics and Religion
  - Outstanding Graduate in Religion

## Admissions

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

## Community Leadership

He's currently a cubmaster, planning and supervising regular pack meetings as well as hikes and camping trips. Nick keeps the group motivated, engaged and focused – and makes sure they have fun.



Texas Bar Foundation Fellow