

James Ruiz

Shareholder Chair, Litigation & Dispute Resolution Department

Practices: Business Divorce; Business Litigation; Fiduciary Litigation; Intellectual Property; IP Litigation; Real Estate Litigation; Securities Litigation & Enforcement; Appellate; Business Divorce for Majority Owners; Business Divorce for Minority Investors

Industries: Emerging & Mid-Market Companies; Financial Services; Real Estate

James Ruiz has extensive trial experience in federal and state courts across the nation representing his clients' business interests for more than 25 years. James has broad industry experience in complex business and business litigation and arbitration cases in several substantive areas, including banking and real estate, intellectual property, securities, insurance, franchisor/franchisee disputes, corporate and partnership issues and governmental enforcement actions. James' diversified experience has been key to his ability to come up with novel theories when handling complex litigation matters and to develop creative solutions to resolve difficult business problems.

James' ability to recognize his clients' business objectives and attendant circumstances enables him to devise effective litigation strategies to achieve clients' goals in an efficient and economical manner. James is respected as a talented advocate for his clients and a tenacious, hard-working litigator.

Unique Lawyer Experience

- James often represents business entities, senior officers and directors and individual owners in separation matters

Representative Experience

Intellectual Property

- Represented technology company in patent infringement trial involving technologies used for producing online simulations of live sports events
- Represented publicly traded internet media company in patent infringement and trade secret theft trial involving configuration and comparative technologies used for online automobile shopping
- Represented restaurant chain in a trial and subsequent series of cases involving trademark infringement and challenges to validity of registered marks
- Represented a cutting edge technology company in an action against one of the largest Japanese technology companies for violation of non-disclosure agreement and theft of trade secrets relating to extrusion coating technology

Commercial and Real Estate



Austin Office

512.370.2818 Direct
512.370.2850 Fax
jruiz@winstead.com

San Antonio Office

phone: 512.370.2818
fax: 512.370.2850

Education

University of Texas School of Law
– J.D., 1989

University of Texas at Austin
– B.B.A., Accounting, 1986

Languages

Spanish

- Represented national lenders and servicers in business litigation suits involving rights and remedies of lenders and servicers of loans held by REMIC trusts to foreclose on commercial real estate
- Represented real estate developer and landowners in a series of complex litigation cases concerning title to property, and corollary easement disputes with the landlocked adjacent landowner/developer

Business Litigation

- Represented majority and minority shareholders in shareholder oppression actions
- Represented Canadian based restaurant franchisor against a series of suits brought by several of its American franchisees in Arizona, California, Texas and Florida involving allegations of violations with FTC regulations and state business opportunity acts

Fiduciary Litigation

- Represented charitable trust and beneficiaries in suit against former trustee for breach of fiduciary duty and other tort claims arising from conflicts of interest in connection with investment of trust funds
- Represented independent executor in suit involving misappropriation of estate assets and breach of fiduciary duty claims
- Represented leading digital imaging software company in an action against a former officer for breach of fiduciary duty and fraud in connection with the misappropriation of corporate funds

Securities Litigation & Enforcement

- Represented a publicly traded medical equipment company in securities litigation brought by an investor group as a result of the company's failure to be listed on the American Stock Exchange
- Represented investment advisory firm in securities fraud litigation involving investments in variable annuities
- Represented a South Texas County in an action involving the respective rights of governmental subdivisions to construct an international bridge into Mexico financed through issuance of public securities
- Represented numerous governmental subdivisions in Chapter 1205 proceedings concerning challenges to authority, legality and validity of issuance of public securities
- Represented national and regional brokerage firms in numerous arbitration proceedings before the NASD Arbitration Tribunal and AAA involving securities fraud claims relating to option trading, variable annuities, and other violations of the Securities and Exchange Acts

Professional & Community Service

- State Bar of Texas
- Member, American Bar Association
- Member, Federal Bar Association
- Member, Austin Bar Association
- Life Fellow, Texas Bar Foundation
- Founding Life Fellow, Austin Bar Foundation
- Former Member, City of Austin's Ethics Review Commission (2011-2014)
- Board Member, YMCA of Austin, Metropolitan Board (2007-present; Co-Chair of YMCA Partner of Youth Campaign for 2009 and 2012, Chair YMCA Partner of Youth Campaign 2013)
- Former Board Member, March of Dimes State Executive Committee for Texas Chapter (2010-2012)
- Former Board Member, Ballet Austin (1995-2009; Management Committee 2005-06, Development Committee 2003-06)
- Former Board Chair, YMCA of Austin, Town Lake Branch Committee of Members (2007-2009; Chair of Partner of Youth Branch Campaigns for 2007 and 2008)
- Former Board Chair, March of Dimes, Austin Division (Board Member, 2007-2012; Chair, 2009-2012)

- Former Board Member, Planet Cancer (2008-2010)
- Leadership Austin (2008 Essential Class)

Awards & Recognition

- Texas Super Lawyers, Thomson Reuters, 2014-2022
- *The Best Lawyers in America*, (BL Rankings, LLC), 2021-2025

Admissions

- Texas, 1989
- U.S. Supreme Court
- U.S. Court of Appeals, Second, Fifth and Ninth Circuits and Federal Circuit
- U.S. District Court Northern, Southern, Eastern and Western Districts of Texas
- U.S. District Court, District of Colorado
- U.S. District Court, District of Arizona