

Benjamin L. Riemer

Partner

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AN AGGRESSIVE AND EXPERIENCED BUSINESS LITIGATOR, BEN UNDERSTANDS THE NUANCED DYNAMICS OF THE MODERN, COMMERCIAL LITIGATION LANDSCAPE. BEN USES HIS BUSINESS ACUMEN TO HELP CLIENTS NAVIGATE COMPLEX FINANCIAL DISPUTES AND ACCOMPLISH THEIR GOALS. CLIENTS WITH SIGNIFICANT FINANCIAL INTERESTS KNOW THEY CAN TRUST BEN TO DELIVER RESULTS.

Having devoted his career to litigating high-stakes business disputes, Ben has successfully advocated for clients in state and federal courts, appellate courts, and arbitration forums across the United States. Ben is driven by one simple mantra—he will fight to win in every matter affecting his clients.

Ben has delivered favorable outcomes for clients in a variety of industries, including securities, construction, banking, real estate, oil and gas, and others. His litigation docket routinely includes “business divorce” cases, partnership disputes, business torts, contractual disputes, fiduciary duty claims and misappropriation of trade secrets. Ben often defends clients against overly restrictive noncompete agreements and prosecutes claims against employees who flout the terms of reasonable noncompetes.

Ben is proud to serve as Chair the Firm's Pro Bono Committee and as a member of the firm's Diversity and Inclusion Committee.

Representative Experience

Broker-Dealer and Securities

- On behalf of a broker-dealer, obtained a state court temporary restraining order and temporary injunction against a former registered representative, restraining the continued use of the company's trade secrets and confidential information and defending the restraining order in the parallel FINRA proceeding.
- In a dispute involving a series of cases in Texas state court, the United States District Court for the Northern District of Texas, Fort Worth Division, the American Arbitration Association, and a FINRA

proceeding in Philadelphia, represented a registered representative against the client's former broker-dealer affiliate, defeating the broker-dealer's request for an injunction.

Noncompetes

- Represented a group of former employees, including a team leader, from a large multi-national advertising agency against the former employer, who filed suit under an overly broad noncompete, successfully defending the temporary injunction trial and permitting the employees to transition to their new firm.
- Represented large national wealth advisory firm in a dispute against a former employee, successfully stopping the employee from flagrantly misappropriating confidential information by obtaining a temporary restraining order and temporary injunction.
- Represented the treasurer of a large banking institution in a noncompete case brought by the treasurer's former employer, successfully defending the temporary injunction trial and permitting the client to begin his new job.
- Represented a financial adviser in a noncompete case brought by the financial adviser's former employer, defeating the employer's request for an injunction.

Oil & Gas

- Represented a private equity firm in a \$2 million escrow dispute in connection with the acquisition of a manufacturer of riser pins for offshore oil rigs.
- Represented an oil pipeline company in a case involving extensive liens filed against various substations.

Franchise Litigation

- Represented the Belgian franchisee of a global commercial cleaning franchisor in Texas state court and the Dallas Court of Appeals.
- Litigated a proceeding in the American Arbitration Association (AAA) on behalf of the owners of car wash franchises in a dispute against a national car wash chain in a case involving claims for breach of the franchise agreement and fraudulent inducement in connection with the signing of the franchise agreement.

Construction Litigation

- Routinely handles cases involving surety bond claims and mechanic's and materialman's lien claims.
- Represented a hotel owner in a case involving the removal of an invalid and unenforceable mechanic's lien.

- Represented a ready-mix concrete company in an adversary proceeding in the United States Bankruptcy Court for the Western District of Texas, Waco Division, objecting to the dischargeability of more than \$500,000 in unpaid debt.

Restaurant, Food and Beverage

- Represented a Dallas restaurant chain, obtaining a temporary restraining order against its former owner to prevent the former owner from opening a competing restaurant concept.
- In a series of lawsuits in Texas state court, represented a limited partner in a partnership dispute involving the Starbucks Coffee locations at DFW Airport, the food and beverage concessions at the Dallas Convention Center, and the gas stations at DFW Airport.

Bankruptcy

- Represented a metals company and its principals in an adversary proceeding in the United States Bankruptcy Court for the Eastern District of Texas, Plano Division, in a case involving claims under the Racketeering and Corrupt Practices Act (RICO).
- Obtained an order dissolving a temporary restraining order entered against a Fortune 1000 company client in the United States Bankruptcy Court for the Southern District of Texas, Houston Division.

Metals and Commodities

- Obtained a temporary restraining order and a temporary injunction on behalf of a stainless steel company in a dispute against a shareholder.
- Represented a global metals producer in a series of complex commercial cases in Texas state court, United States federal court, and the courts of Chile, as part of a team of lawyers, against a Chilean competitor in a large-scale international dispute.

Entertainment, Media, and Sports

- Represented a Major League Baseball and National Basketball Association sports broadcaster in an employment contract dispute with the broadcaster's radio station.
- Represented a professional hockey team in a federal lawsuit against the owners of the team's arena in a case involving infringement of the team's trademarks and image.

Pro Bono and Public Policy Matters

- Represented the Cameron County Housing Authority against the City of Port Isabel, Texas, in a dispute brought under the federal Fair Housing Act in relation to the City's refusal to approve the development of an affordable housing complex

- Represented Paul Quinn College in a federal lawsuit in the United States District Court for the Northern District of Georgia against a regional accreditation agency.
- Litigated a case against a Texas municipality involving claims brought under the Voting Rights Act, resulting in the municipality having to redraw its City Council district maps.

Noteworthy

- Named one of the "Best Lawyers in Dallas" by *D Magazine*, 2022 and 2024
- Selected as a Texas Rising Star®, *Texas Monthly*, 2014–2015, 2017–2018
- Selected by attorney peers for inclusion in *Texas Super Lawyers Rising Stars*®, Thomson Reuters, 2017–2018
- Business Council of the Arts Leadership Arts Institute, Class of 2017–2018
- New York State Governor's Counsel's Office, clerk, 2007–2008
- Prior to beginning his legal career, Ben worked for three years in the majority communications office in the New York State Assembly in Albany, New York

Activities and Memberships

- Association for Corporate Growth, DFW Chapter
 - President-Elect, 2025
 - Board of Directors, 2024
- Austin Street Center
 - Annual Event Chair, 2025
- Dallas Regional Chamber's
 - Leadership Class, 2019
- Dallas Chamber Symphony
 - President of the Board of Directors
- Texas Bar Association
 - Construction Law Section, Member

- Litigation Section, Member
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 - Construction Law Section, Member
 - Business Litigation Section, Member
- Court Appointed Special Advocate for Children (CASA)
- Volunteer

Publications

- "Conspiracy to Breach Fiduciary Duty: Recent Caselaw Boldly Explores the Outer Reaches of the 'Punctilio,'" *Texas Lawyer*, author; September, 7 2023.
- "Dallas Rock N' Roll Lore at the Fifth Circuit," Dallas Bar Association *Headnotes*, author; March 2023.
- "[Step Carefully When Crossing a Texas Minefield: Mechanic's Lien and Bond Claims in Texas](#)," *Business Credit* magazine, co-author; September/October 2014.
- "[Business Divorce Litigation in the Aftermath of 'Ritchie v. Rupe': Concerns for Investors in Texas Businesses Have Been Greatly Exaggerated](#)," *Bloomberg BNA Corporate Law & Accountability Report*, author; September 5, 2014.
- "[Don't Become Roadkill: New TXDOT Rules Can Alter Claim Deadlines on Highway Projects](#)," *Business Credit* magazine, co-author; April 2014.
- "[Business Divorce Could Be Better Balanced in Texas](#)," *Law360*, author; October 29, 2013.

Presentations

- "The Evolving Landscape of Texas Noncompete Agreements in Light of Proposed FTC Regulations," Dallas Bar Association Annual Review of Energy Law, co-presenter; August 18, 2023.
- "War Stories: Walking Away From a Deal," ACG DFW Dallas Dealmakers Program, panelist; April 19, 2023.
- "Labor & Employment Conversations," The Independent Insurance Agents of Dallas; January 28, 2021.

Credentials

Education

- JD, Albany Law School, *cum laude*, 2008
- BA, Syracuse University, 2002

Admissions

- Texas
- Supreme Court of the United States
- United States Court of Appeals for the Fifth Circuit
- United States District Court for the Northern, Southern, Eastern and Western Districts of Texas