

## R. Heath Cheek

### Partner

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**HEATH GREW UP ON A FARM IN NORTHWEST TEXAS AND BRINGS TO HIS CLIENTS THE PERSPECTIVE OF SOMEONE WHO GREW UP IN A PLACE WHERE THERE IS NOTHING BUT HORIZON. THROUGH THIS LENS, HEATH DEVELOPED AN INNATE ABILITY TO UNDERSTAND PEOPLE'S NEEDS, TO REACH THE ESSENCE OF ISSUES, TO QUICKLY MAP OUT EFFECTIVE STRATEGIES, AND TO CREATIVELY AND FORCEFULLY ADVOCATE FOR SOLUTIONS WITHOUT LOSING SIGHT OF THE CLIENT'S ULTIMATE OBJECTIVES.**

Heath is one of Texas' top emerging trial lawyers and has been recognized by his peers and business leaders throughout North Texas. Recognized as a "Litigation Star" by *Benchmark Litigation*, a "Legal Leader on the Rise" by *Texas Lawyer* and featured on the *Dallas Business Journal's* "40 Under 40" list, Heath continues to make his mark.

Heath is an active litigator whose poise, confidence and acumen in the courtroom are forged by his experience serving as lead counsel on hundreds of cases with amounts in controversy ranging up to more than a billion dollars. His client roster features a broad range of entities, including Fortune 500 companies, startup businesses and high-net-worth individuals. His cases involve complex, high-stakes litigation involving securities, business divorces, fiduciary duty, contractual disputes, real estate, labor and employment, intellectual property and trade secrets, family office disputes, high-net-worth trusts and estates, internal investigations and general commercial issues.

Heath's practice covers state, federal and arbitration forums, and he has litigated in dozens of counties (both urban and rural) across the state of Texas and in more than a dozen states across the country.

With a practice that transcends the courtroom, Heath also offers sound and balanced counseling to clients with a range of legal needs, including:

- Regularly represents private clients in disputes with government bodies and the Office of the Texas Attorney General over the scope of the Texas Public Information Act (TPIA) and other open records laws.
- Represents employers in proceedings to protect their trade secrets and to enforce restrictive covenants relating to competition from former employees and dissemination of company information.

- Has been involved in more than a dozen FINRA arbitrations on both the claimant and defense side involving suits by investors brought against financial advisors.
- Regularly represents clients in high-stakes defamation, libel and slander cases.
- Counsels clients regarding Plaintiff's-side malpractice issues committed by accountants, attorneys, insurance brokers and financial advisors.

An active member of his community, Heath has long been involved with the State Fair of Texas Development Team, where he serves as chairman. In support of the Fair's mission to provide scholarships for inner-city Dallas and rural Texas students attending in-state colleges and universities, Heath has helped raise more than \$10 million since 2017. Heath also sits on the national board of directors for the Texas Tech Alumni Association serving in numerous leadership positions, including as chair for its 2023 Centennial and helping to advance Texas Tech.

## Representative Experience

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- Successfully represented Texas-based technology company JBB Advanced Technologies in its pending sale of blockchain technology unit Tronic to a corporate entity affiliated with one of JBB's own executives for \$12.25B – a “friendly transaction” of cash and shares.
- Obtained a \$23.1 million judgment after a week-long jury trial in Jack County, Texas for a large United States cattle broker after the client was defrauded by another Texas-based cattle broker. The case involved the untangling of a check-kiting scheme involving hundreds of transactions, tens of millions of dollars, and thousands of head of cattle that were allegedly bought and sold as part of the scheme. The verdict is believed to represent one of the largest cattle frauds in Texas history.
- Effectively represented a startup real estate technology company that developed groundbreaking services in the homeowners' association management industry in a dispute with \$30 million in controversy and involving a former partner/client where that partner attempted to duplicate the client's technology and cut them out of the processing. Following heavy, multi-jurisdiction, bet-the-company litigation, the litigation team obtained a favorable settlement for the client.
- Successfully represented former officers and directors of a large conservative think-tank who were sued for more than \$15 million for allegations of breaches of fiduciary duty. The litigation team was able to get the case dismissed and obtained an award of attorney's for his client.
- Represented a group of individuals (including a former Texas Rangers baseball star) sued for more than \$10 million for their involvement in the ownership and management of a bar in Uptown Dallas. Bell Nunnally was able to get all of the individuals dismissed following multiple rounds of summary judgment and extensive discovery.

- Litigated one of the first cases in the state to utilize Texas's new anti-ESG statute to combat a company's offensive use of an ESG policy to improperly terminate a lease to a firearms component distributor, obtaining a favorable settlement prior to litigation.
- Regularly represent clients in defamation lawsuits against individuals and media companies. Clients have included restaurant owners, reality-TV stars, nonprofit executives and private equity officers. Opposing parties have included local, national and trade media outlets.
- Represented the founder of a health care services company who sold his company to a large, multinational private equity firm in a dispute regarding a contractual earnout provision and tag-along rights in the event of a sale of the combined company. The trial team obtained a favorable settlement shortly before trial.
- Successfully represented an oilfield services company in a long-running dispute against a private equity-backed competitor over alleged violations of noncompete agreements and damage to real property. Following multiple lawsuits, the litigation and trial team was able to collect 100 percent of the client's damages.
- Successfully represented an oilfield midstream startup company in a "bet the company" case involving violations of noncompete and nonsolicitation provisions of contracts with their former employers. The trial team was able to successfully defeat a temporary injunction, have the noncompete invalidated, and negotiated a favorable settlement of all remaining claims.
- Successfully represented a startup oilfield services company in a complex trade-secrets and noncompete case brought by a competitor. Utilizing the Texas Anti-SLAPP statute, the team maximized pressure on the opposing party to facilitate an early, favorable settlement.
- Represented an innovative virtual payment technology company in a series of lawsuits in multiple jurisdictions involving trade secrets, patent infringement, and Computer Fraud and Abuse Act (CFAA) claims.
- Productively defended a private equity group from lawsuits with more than \$40 million in controversy by high-net-worth investors claiming the group committed multiple violations of federal and Texas securities laws in acquiring a multinational industrial company.
- Successfully obtained a \$3 million judgment from a Dallas State Court on behalf of an investment advisor arising out of the advisor's work on the acquisition of an energy pipeline company on behalf of a Dallas-based private equity firm. Following the judgment, navigated a complicated collection process and negotiated a favorable payout agreement with the trustee of a Louisiana bankruptcy action.
- Led a FINRA arbitration representing a high-net-worth oil and gas investor in a broker-dealer suit seeking more than \$10 million in damages, obtaining a favorable settlement.

- Representing a high-net-worth individual in a FINRA arbitration against two national broker-dealers who failed to supervise their registered representative who lost \$4 million of the client's money in a Ponzi-scheme. On the eve of trial, the trial team obtained a confidential, favorable settlement.
- Obtained a dismissal for a Dallas-based securities company in a \$3 million arbitration concerning the underwriting of municipal bonds.
- Represented multiple clients in industries including health care, insurance and financial services in investigations, litigation and remediation of employee embezzlements involving millions of dollars of losses.
- Advised a client in due diligence pertaining to litigation and labor matters arising out of the client's \$5 billion purchase of a national restaurant chain.

## Noteworthy

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- Selected by attorney peers for inclusion in *The Best Lawyers in America*®, 2021–2025
- Named to *Lawdragon's* "500 Leading Litigators in America" List, 2025
- Named one of the "Litigation Stars" in the *Benchmark Litigation Guide*, 2024–2025
- Named "Future Star" in the *Benchmark Litigation Guide*, 2022–2023
- Named Lawyer "On the Rise" by *Texas Lawyer*, 2020
- Named "Best Lawyers Under 40 in Dallas" List, *D Magazine*, 2018–2020
- Selected for inclusion in *Texas Super Lawyers*®, Thomson Reuters, 2022–2024
- Selected by attorney peers for inclusion in *Texas Super Lawyers Rising Stars*®, Thomson Reuters, 2014–2021
- Midwestern Cattle verdict named to the "Texas Lawyer Hall of Fame Verdicts" List
- Selected by the *Dallas Business Journal* for inclusion on its annual "40 Under Forty" list, 2013
- Selected as one of the Five Outstanding Young Dallasites by the Dallas Junior Chamber of Commerce, 2011
- Selected as one of Park Cities People "20 Under Forty" list, 2019
- Selected by the North Texas Super Bowl XLV Host Committee to chair a committee comprised of one hundred of the best and brightest young professionals in North Texas to assist and perpetuate the Host Committee

## Activities and Memberships

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- State Fair of Texas
  - Board of Directors, 2023–Present
  - Board of Advisors, 2021–2022
  - Cabinet Chair, 2018–2021
  - Development Cabinet Vice-Chair, 2015–2017
  - Raffle Chair, 2011–2015
- Cotton Bowl Athletics Association
  - Board of Directors, 2022–present
  - Council, 2015–2021
- Salesmanship Club of Dallas
  - Member, 2022–present
- Texas Tech Alumni Association
  - Centennial Chairman, 2022–2023
  - National Board of Directors, 2014–present
  - Rawls College of Business Scholarship Fundraiser Steering Committee, 2013–present
  - Founding Chairman of Texas Tech Quarterly Business Briefing, 2008–2013
  - Texas Tech Alumni Association of Dallas, President, 2011
- Texas Tech System PAC
  - Board of Directors, 2022–present
- Dallas Regional Chamber of Commerce
  - Board of Advisors, 2016–present
- The Real Estate Counsel
  - Board of Directors, Secretary, 2025
  - Community Investors Board, 2024

- TREC ALC Alumni Steering Committee, 2021–2023
- PAC Board of Directors, 2019–2021
- TREC Associate Leadership Class, 2016–2017
- TREC Associate Leadership Class Steering Committee, 2022–2024
- Dallas Museum of Art
  - Board of Directors Underwriting Committee, 2015
  - Junior Associates, Chair, 2015
  - Affair of the Art Co-Chair, 2014
- Maverick PAC
  - Dallas Co-Chair, 2010–2018
- *Dallas Business Journal*
  - "40 Under 40" Alumni Association, 2013–present
- North Texas Super Bowl XLV Host Committee
  - Chair of NFL On Location Action Team, 2009–2011
- Chairman of American Cancer Society Starlight Gala
  - Board of Directors, 2009
- Dallas Bar Association
  - Member
- Dallas Association of Young Lawyers
  - Leadership Class, 2010–2011
- Dallas Christian Legal Society, Board of Directors, 2010–2013
  - Chair of National Day of Prayer Luncheon, 2013
- Highland Park United Methodist Church

## Publications

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- "Texas Enacts SB 29: Major Corporate Law Reforms Now Effective," Bell Nunnally Client Alert, co-author; May 19, 2025.
- "Texas Takes Aim at Delaware's State of Incorporation Crown," *The Texas Lawbook*, co-author; April 29, 2025.
- "How (and Why You May Want) to Get into the New Texas Business Courts," Association of Corporate Counsel, co-author; January 2025.
- "Texas Business Courts: The Next Frontier in Business Litigation," *Texas Lawyer*, co-author; June 25, 2024.
- "Texas: Dallas, Fort Worth & Surrounds: An Introduction to Litigation: General Commercial," *Chambers and Partners*, co-author; 2024.
- "Texas Supreme Court's New Rules Bring Clarity to Function of New Business Courts," Bell Nunnally Client Alert, co-author; May 13, 2024.
- "Texas Business Courts – A New Era of Business Litigation in Texas," Association of Corporate Counsel Annual In-House Symposium, co-presenter; March 7, 2024.
- "The 'Lasso Way': Lessons for Lawyers from Ted Lasso Season Three," *The Texas Lawbook*, author; September 27, 2023.
- "New Texas Business Court Bill Goes into Effect," Bell Nunnally Client Alert, co-author; July 6, 2023.
- "Tracking the Nascent Anti-ESG Movement," *Law360*, co-author; October 27, 2022.
- "Why Companies Should Watch Anti-ESG Litigation," *Bloomberg Law*, co-author; September 23, 2022.
- "How Updates to the Texas Citizens' Participation Act Are Working," *Texas Lawyer*, co-author; April 21, 2022.
- "Ted Lasso Season Two Playbook Offers Mental Health Strategies for Attorneys," *The Texas Lawbook*, author; November 29, 2021.
- "'Be a Goldfish' – The Wisdom of Ted Lasso for Lawyers," *The Texas Lawbook*, author; June 8, 2021.
- "Expert: How Employers Can Manage Tensions During the Multi-Phase Reopening," *D CEO Healthcare*, co-author; March 18, 2021.
- "COVID-19 Liability Protection Legislation for Businesses Designated as an "Emergency Item" for Passage This Year," March 5, 2021
- "Texas is Open for Business: Unmasking Executive Order GA-34," March 3, 2021.

- "The Effect of COVID-19 on Existing Litigation," May 20, 2020.
- "When Can We Open? Frequently Asked Questions on Federal and Texas Guidelines to Restart the Economy," May 7, 2020.

## Presentations

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- "Texas Business Courts: A New "Frontier" in Business Litigation," The Dallas Bar Association's Construction Law Section, co-presenter; November 7, 2024.
- "Texas Business Courts – A New Era of Business Litigation in Texas," Association of Corporate Counsel Annual In-House Symposium, co-presenter; March 7, 2024.
- "Mental Health Lessons Learned from 'Ted Lasso' Season 2," multiple organizations (Houston Bar Association), presenter.
- "["Be a Goldfish": Leadership and Ethics Lessons for Lawyers from the TV Show Ted Lasso,"](#) multiple organizations (General Counsel Forum, Association of Corporate Counsel), presenter.
- "A Guide to the Texas Lawyer's Creed for In House Counsel," Dallas Bar Association's Corporate Counsel Section Meeting, presenter; 2017.
- "["What to Do When Outside Counsel Loses Control of Your Case,"](#) Collin County Bar Association and North Dallas CLE Committee, presenter; 2015–2016.

## Credentials

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### Education

- JD, Baylor University School of Law, 2006
- BA in History and Political Science, Texas Tech University, *magna cum laude* in Honors Studies, 2003

### Admissions

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