

Jack Thomas

Partner

New York

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Jack is a seasoned trial and appellate attorney who represents clients in various complex commercial matters, including international and reinsurance arbitrations. He focuses on energy litigation, international disputes, foreign judgment enforcement, and disputes arising from financing transactions, mergers and acquisitions, and licensing agreements.

OVERVIEW

Jack litigates cases in federal and state courts across the U.S., including international disputes with parallel proceedings. He is experienced across a broad spectrum of U.S. and international clients, including companies engaged in energy projects, commodities trading, life sciences, financing, and other industries, many of which are *Fortune* 500 companies. Jack has also argued appeals in state and federal courts throughout the U.S., including in New York, Delaware, Illinois, and Massachusetts. He is licensed to practice in England and Wales.

Jack has significant international arbitration experience, including in matters relating to solar energy, licensing and acquisition agreements, shipping, gaming, as well as accounting disputes. He has represented numerous clients in connection with the enforcement of foreign judgments and in matters seeking provisional remedies, including the seizure of property and injunctions.

REPRESENTATIVE MATTERS

Appellate Practice

- Successfully appealed a decision to the New York Appellate Division denying (in part) the client's motion for summary judgment on plaintiff's sole remaining claim for breach of contract, resulting in an order on appeal entering judgment in the client's favor.
- Argued and obtained, on behalf of the appellant, two appeals before the Delaware Supreme Court on class certification issues.
- Obtained an appeal in the New York Appellate Division on the appellee's behalf of a decision granting a motion to dismiss various business torts; argued and obtained the client's cross-appeal of the denial of one aspect of that same motion.
- Argued and obtained, as appellee, an appeal before the Second Circuit of a motion by the Republic of Argentina to dismiss the client's petition seeking confirmation of an ICSID arbitration award.
- Argued before the Appellate Court of Illinois, First Judicial District, the appeal of decisions issued by the trial

court concerning the interpretation of a settlement agreement.

- Argued, as appellee, before the Commonwealth of Massachusetts Appeals Court an appeal of a decision dismissing Ch. 934 and tortious interference claims.
- Argued and obtained, as appellee, an appeal before the New York Appellate Division of a decision granting a motion for summary judgment, as well as a decision granting a motion to strike the adversary's putative expert disclosures.

International Arbitrations and Enforcement of Foreign Judgments

- Represent a solar power development company in a dispute involving a series of projects under construction in the NE.
- Represented a major life sciences company in a LCIA arbitration arising out of a multiproduct licensing contract.
- Represented an international gaming company in an ICC arbitration arising out of a licensing agreement.
- Represented Duke Energy in its effort to enforce an ICSID arbitration award against the Republic of Peru. Defeated Peru's motion to dismiss and thereafter obtained judgment.
- Represented Blue Ridge Investments in an action to recognize an ICSID arbitration award rendered against the Republic of Argentina. Defeated Argentina's motion to dismiss, and then argued and prevailed on Argentina's appeal to the Second Circuit.
- Represented a seller of a health care-related business in connection with allegedly necessary price adjustments following the sale of the business.
- Advised a U.S. company against a French company in an arbitration concerning allegedly necessary price adjustments on inventory following the client's sale of its manufacturing operations.

Energy Litigation

- Successfully represented a global petroleum and petrochemical trading company in a trial in the S.D.N.Y. relating to the financing of a renewable diesel facility utilizing wood chip pyrolysis technology.
- Successfully represented a global petroleum and petrochemical trading company in a 10-day trial that resulted in holding a contractual counter-party company's affiliates, managers, and owners liable under veil-piercing and alter-ego theories for a multimillion-dollar judgment against the company.
- Represent a global petroleum and petrochemical trading company in multiple U.S. and international contract disputes involving the purchase or sale of biodiesel fuel, chemicals, and other energy products.
- Counseled an international energy services company in an action to seize gas turbine power generators it had purchased from a power facility in Upstate New York. The case settled on completely favorable terms after obtaining an order to show cause.
- Represented an international energy service provider concerning offshore drilling facilities in Brazilian waters.

Professional Liability/Specialty Lines Coverage Litigation

- Represented various London market insurers in a professional liability coverage dispute against the bankruptcy estates of Stone & Webster concerning the decommissioning of the Maine Yankee nuclear facility. The case settled on favorable terms following a four-week jury trial.

Life Reinsurance

- Achieved multiple victories for a major reinsurer in arbitrations concerning its contractual right to increase nonguaranteed reinsurance premiums, securing awards worth hundreds of millions of dollars.
- Represented a reinsurer in a dispute with its retrocessionaire regarding the reinsurer's ability to increase

premiums on a large book of yearly renewable term life insurance.

- Advised a reinsurance company on a litigation strategy for a class action involving cost of insurance (COI) charges in life insurance policies.
- Counseled a reinsurer in connection with various third-party subpoenas in COI class actions.

Financial Institution Litigation

- Represented a private equity firm in litigation arising from the acquisition of an automotive parts manufacturer. Obtained a dismissal of various business tort claims, affirmed on appeal, and later obtained a dismissal of the remaining breach of contract claim.
- Represented JPMorgan Chase Bank in a series of insurance coverage and fraud disputes in numerous jurisdictions against multiple international insurance companies concerning insurance-backed motion picture financing transactions. These cases required close coordination of parallel proceedings in New York and London.
- Served as counsel for a large financial institution in a jury trial in the Southern District of New York concerning stock options.
- Defended a large financial institution in a class action in Delaware relating to the online trading of securities. Obtained a reversal from the Delaware Supreme Court of a trial court's partial certification of a class action.
- Served as part of the team that represented Merrill Lynch in connection with serious claims arising out of the Orange County bankruptcy.

AWARDS

- *Benchmark Litigation*: "Local Litigation Star" in New York (2025)

TOP AREAS OF FOCUS

- Business Litigation
- Insurance + Reinsurance
- International
- International Dispute Resolution
- Litigation + Trial

ALL AREAS OF FOCUS

- Business Litigation
- Insurance + Reinsurance
- International
- International Dispute Resolution
- Litigation + Trial
- Professional Liability
- Reinsurance

PROFESSIONAL/COMMUNITY INVOLVEMENT

- Member, International Bar Association; Co-Chair of Litigation Conference in New York, May 2012; Member, IBA

Arbitration Committee

- Member, Federal Bar Council

EDUCATION AND CERTIFICATIONS

EDUCATION

- Quinnipiac University School of Law, J.D., *cum laude*, 1992
- Miami University, B.A., 1986

BAR ADMISSIONS

- Connecticut
- New Jersey
- New York
- England and Wales

PUBLICATIONS

- Co-author, "[Troutman Pepper Guide to International Arbitration](#)," *Troutman Pepper*, April 17, 2023.
- Co-author, "[A Change in Course? The Eleventh Circuit May Soon Join Most Circuits on the Applicability of FAA Grounds to Vacate Nondomestic Arbitration Awards](#)," *Troutman Pepper*, December 14, 2022.
- Co-author, "[Federal Court Further Narrows 28 U.S.C. § 1782 Application Following Landmark SCOTUS Decision](#)," *Troutman Pepper*, November 17, 2022.
- Co-author, "[Can You Enforce an International Arbitration Award That's Been Set Aside?](#)" *Troutman Pepper*, August 10, 2022.
- Co-author, "[SCOTUS Resolves Section 1782 Controversy: Courts Cannot Order Discovery in Most International Arbitrations](#)," *Troutman Pepper*, June 15, 2022.
- Co-author, "[SCOTUS to Resolve Circuit Split After All — Can Federal Courts Order Discovery For Use in Private, Commercial International Arbitrations?](#)," *Troutman Pepper*, December 15, 2021.
- Co-author, "[SCOTUS to Dismiss 28 U.S.C. § 1782\(a\) Case: No Resolution \(For Now\) as to Whether the Section Applies to Private, Commercial, International Arbitrations](#)," *Troutman Pepper*, September 27, 2021.
- Co-author, "[Certiorari Granted: SCOTUS to Decide if 28 U.S.C. § 1782\(a\) Applies to Private, Commercial, International Arbitrations](#)," *Troutman Pepper*, March 23, 2021.
- Co-author, "[Circuits Remain Split on Allowing U.S. Discovery in Private, International Arbitrations](#)," *Troutman Pepper*, July 13, 2020.
- Co-author, "[Supreme Court May Decide if Litigants Can Conduct U.S. Discovery for Private International Arbitrations](#)," *Troutman Pepper*, July 7, 2020.
- Co-author, "[Remote Int'l Arbitration Lessons to Retain Post-Pandemic](#)," *Law360*, May 1, 2020.
- Co-author, "Team Effort Needed to Tackle Expanding Cyber Threats," *Business Insurance Perspectives*, May 2018.
- Co-author, "Arbitration in the United States," *Getting the Deal Through – Arbitration* 2016, January 2016.
- Co-author, "Arbitration in the United States," *Getting the Deal Through – Arbitration* 2015, February 2015.