

Vince Hess

Counsel

Dallas

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OVERVIEW

Vince brings extensive experience in complex commercial litigation and arbitration, representing large and mid-size companies across various industries. His practice encompasses commercial real estate and lease disputes, contract issues, franchise conflicts, health care and employee benefits, software disputes, and trade secrets and noncompetes.

Vince represents financial service entities in credit reporting and real property rights suits, municipalities in breach of contract and fraud litigation, and industrial facilities in tax exemption litigation. He also works to secure injunctive relief for franchisors, manages complex software implementation litigations, and defends major national companies in consumer class actions and false advertising claims.

Vince also handles bankruptcy court adversary proceedings, shareholder rights disputes, and advises on records retention and e-discovery practices.

REPRESENTATIVE MATTERS

- Represented financial service entities in suits involving credit reporting, real property rights, and taxes.
- Represented a municipality in a suit for breach of contract and fraud arising from a major development project. The proposed development was critical to the municipality's economic growth plans. While the suit was pending, a settlement was reached that provided for the completion of the development project.
- Represented an industrial facility in litigation with a taxing authority to preserve an exemption from ad valorem property tax. Loss of the tax exemption would have been devastating to the future of the facility. After an initial ruling in favor of the client by the district court, and following oral argument in the appeal, a resolution for the client was reached.
- Represented a manufacturing company in its claims, pursued in court and in arbitration, against a software vendor and an implementer over a failed ERP software implementation. The failed implementation resulted in significant damages to the company. An arbitration panel ordered a multimillion-dollar award in favor of the manufacturer.
- Represented a manufacturer in litigation filed by a distributor customer alleging defective products. The claims implicated a major product line and more than \$1 million in damages. Following extensive discovery and settlement negotiations to narrow the scope of claims, a settlement in favor of the client was reached.

TOP AREAS OF FOCUS

- Financial Services
- Litigation + Trial
- Real Estate
- Retail

ALL AREAS OF FOCUS

- Commercial Contracting
- Employee Benefits + Executive Compensation
- Environmental Litigation + Enforcement Defense
- Financial Services
- Health Care Litigation
- Intellectual Property
- Litigation + Trial
- Real Estate
- Real Estate Litigation
- Retail

PROFESSIONAL/COMMUNITY INVOLVEMENT

- Member, Dallas Bar Association
- Fellow, Texas Bar Foundation
- Fellow, Dallas Bar Foundation
- Life Founding Fellow, Dallas Association of Young Lawyers Foundation
- Member, Federal Bar Association
- Member, The Federalist Society
- Member, Northern District of Texas Bench-Bar Conference Organizing Committee
- Volunteer, Constitution Day, The Federalist Society and Bill of Rights Institute
- Volunteer judge, moot court competitions, SMU Dedman School of Law and Texas A&M University School of Law
- Assistant scoutmaster, Boy Scout Troop 746
- Chair, St. Pius X Church Finance Council
- Past secretary, board of trustees, The Catholic Foundation
- Past chair, Governance Committee
- Past chair, Audit and Administration Committee
- Past vice chair, board, Bishop Lynch High School
- Past chair, Advancement and Marketing Committee
- Past member, Presidential Search Committee
- Past president, Dallas Chapter of Legatus
- Member, Commemorating in Dallas the 800th anniversary of the Magna Carta Organizing Committee (2015)
- Past president, St. Thomas More Society, Dallas Chapter

- Past secretary, treasurer, and director, Dallas Association of Young Lawyers

EDUCATION AND CERTIFICATIONS

EDUCATION

- University of Michigan Law School, J.D., 1988, note editor, *University of Michigan Journal of Law Reform*
- University of Kansas, B.S., *with distinction*, *Mortar Board; Phi Kappa Phi*, 1985

BAR ADMISSIONS

- Texas

COURT ADMISSIONS

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

SPEAKING ENGAGEMENTS

- Moderator, "To Win the Game, Know the Rules: Tips of Federal Procedure and Local Rules," Northern District of Texas Bench-Bar Conference, April 2025.
- Moderator, "Procedural Pitfalls: Navigating the Nuances of Removal," Northern District of Texas Bench-Bar Conference, April 2024.

PUBLICATIONS

- Author, "Costs and Disbursements," *Fifth Edition of Business and Commercial Litigation in Federal Courts*, a project of the American Bar Association Section of Litigation and Thomson Reuters, December 2021.