Wick Phillips
ATTORNEYS & COUNSELORS

Law with Purpose.®



Jacob Fain

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Jacob Fain is a trusted advisor and accomplished litigator. While much of his work involves disputes in the oil and gas industry, Jacob's experience in a broad variety of business disputes has earned him local and statewide recognition and success at trial and on appeal.

His oil and gas litigation experience includes disputes related to payment of royalties and overriding royalties, construction agreements, and the administration and division of oil and gas assets. Jacob represents royalty owners, pipeline contractors, and service companies, among others in the oil and gas industry. And he was a critical member of the Wick Phillips team that won the landmark decision from the Texas Supreme Court in *Chesapeake Exploration v. Hyder*.

Jacob's other commercial litigation experience includes a variety of contract-based disputes in arbitrations, trials, and appeals, including partnership and company agreements, non-competition and non-solicitation agreements, and real estate.

Prior to joining Wick Phillips, Jacob worked at a large international, Texas-based law firm in its business litigation practice.

Articles

- Co-author, Royalty Clause Construction in Texas: Is Hyder part of the Heritage or More Surplusage? An update on Texas cases discussing postproduction costs and lease interpretations; Earnest E. Smith Oil, Gas, and Mineral Law Institute (April 15, 2016)

Practice Areas

- Civil Appeals
- Commercial Litigation
- Labor and Employment Litigation
- Oil and Gas Litigation
- Real Estate Litigation

Awards & Honors

- The Best Lawyers in America® - Oil and Gas Law (2025-2027)
- Top Attorneys – Commercial Litigation, *Fort Worth Magazine* (2015-2024, 2026)
- Texas Super Lawyers - Business Litigation (2023-2025)
- 40 Under 40, *Fort Worth Business Press* (2018)
- Texas Super Lawyers Rising Star, *Texas Monthly* (2010-2012, 2014-2018)

Representative Matters

- Defending an international company in bankruptcy adversary litigation that culminated in a six-week trial.
- Defending a glass manufacturer in arbitration.
- Defending a real estate developer in trial involving a partnership dispute.
- Securing a jury verdict for a medical device manufacturer.
- Defending a shipping-products manufacturer in a six-day arbitration.
- Securing a jury verdict and other relief for a transportation company.
- Defending a real estate owner in a bankruptcy adversary trial.
- Obtaining a reverse-and-render opinion in the Beaumont Court of Appeals on behalf of a truck manufacturer.
- Securing a favorable decision from the Fort Worth Court of Appeals involving a non-competition and non-solicitation agreement.
- Securing a favorable decision from the Texas Supreme Court for overriding royalty owners.

Education

- South Texas College of Law (J.D., cum laude)
- Texas Tech University (M.A.)
- Texas A&M University (B.S.)

Memberships

- Board of Directors, Miracle League DFW
- Board of Directors, Junior Achievement of the Chisholm Trail (2012-2018)
- Fellow, Texas Bar Foundation
- Leading Edge, a division of Leadership Fort Worth (Class of 2012)
- Member, Texas Aggie Bar Association
- Tarrant County Bar Association, Business Litigation Section

Admissions

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