

Jared D. Giddens

Of Counsel

405.552.2292 | jared.giddens@mcafeetaft.com

Oklahoma City



Overview

One of Oklahoma's most versatile business lawyers, Jared Giddens is a unique combination of accomplished commercial litigator, respected business and legal advisor, and seasoned transactional attorney. He is particularly regarded for his keen understanding of complex issues and client challenges, his strategic planning and creative problem-solving skills, and hands-on approach to seeing solutions through to their final execution and implementation.

Local, regional and national business leaders across a broad range of industries, including banking, energy and construction, routinely rely on Jared's expertise and steady guidance not only in times of crisis, but also to regularly advise them on risk management, litigation avoidance strategies, and solutions that enhance the bottom line.

Throughout his distinguished career, Jared has served as lead counsel in a broad range of complex litigation and transactional matters, including business disputes, business reorganizations, restructuring and bankruptcy, commercial lending, collective action wage and hour cases, complex real estate finance deals, and creditor rights. He maintains an active litigation practice and has nearly two dozen reported decisions in various federal and state courts and was a licensed certified public accountant more than 30 years.

As part of his long-standing service to the financial services industry, Jared also advises banks and other financial institutions on risk management, lending practices, deposit operations, and other core issues.

Jared is a Senior Fellow of the Litigation Counsel of America and a member of its Order of the Veritas. His achievements have earned him inclusion in the *Chambers USA Guide to America's Leading Lawyers for Business*, *Oklahoma Super Lawyers* and *The Best Lawyers in America* (banking and finance litigation; bankruptcy litigation; commercial litigation; construction law; energy law; labor and employment litigation; real estate litigation; trusts and estates litigation).

Admissions

Oklahoma, 1981

Texas, 2006

U.S. District Courts for the Western, Northern, and Eastern Districts of Oklahoma

U.S. District Courts for the Western, Northern, Eastern, and Southern Districts of Texas

U.S. Courts of Appeals for the Fifth and Tenth Circuits

U.S. Tax Court

Education

J.D., University of Oklahoma, 1981;
Note Editor, *Oklahoma Law Review*

B.S. Accounting, cum laude,
Central State University, 1978; Phi
Kappa Phi

Professional Certification

Certified Public Accountant (Inactive)

Representative Experience

Litigation

- Recently concluded successful representation of an oilfield service company in an arbitration involving allegations of defective pipe and H2S in a Permian Basin well.
- Recently defended large community bank against a commercial customer who sought to hold the bank responsible for its wire fraud losses. After obtaining summary judgment on claims of conversion and negligence, the plaintiff unilaterally dismissed all remaining claims without any payment.
- Currently representing an oilfield fishing company in federal court against claims of a defective elevator with more than 10 operations and reservoir engineers having submitted expert reports.
- Currently representing a landowner in a pipeline condemnation case spanning multiple sections.
- Successfully represented prominent country club members in a heavily contested action against a national golf company by securing the enforcement of contract rights and recovering a seven-figure attorney's fee.
- Waged a 13-year back-and-forth David v. Goliath battle through Oklahoma's trial and appellate courts against a large national bank for a physician whose accountant embezzled seven years of payroll tax deposits via forged endorsements. After reversal of a jury verdict by the Oklahoma Court of Civil Appeals, the Oklahoma Supreme Court accepted certiorari and reinstated the verdict. Ultimately recovered 100% of claims, including seven years of prejudgment interest and an enhanced attorney's fee award.
- Successfully represented oilfield service companies, operators, and management companies in the resolution of numerous Fair Labor Standards Act collective actions cases in Oklahoma, Texas, New Mexico and Ohio. In defeating efforts to certify nationwide classes, used innovative approaches to overcome bias towards certification, including coordination with fuel vendors and experts to develop GPS data and other evidence exposing workers to gross overstatement of reported hours.
- Recovered unpaid wages, including double damages and attorney's fee under Oklahoma's labor statutes, on behalf of the president of a local manufacturing company who was terminated after the company was acquired by a large national company.

Restructuring and Bankruptcy

- Regularly represents local, regional, and national financial institutions in complex restructuring, including out-of-court reorganizations and orderly liquidations of assets.
- Represented a creditor, including a published decision by the Fifth Circuit, that despite spendthrift trust language in the company's plan, a physician debtor's profit-sharing plan interest was property of the estate under Section 541 of the Bankruptcy Code (subsequent statutory amendment).
- Represents creditors, the occasional debtor and other constituents in state and federal reorganization, bankruptcy, receiverships and foreclosure actions. Such matters frequently involve first impression interpretation of the Uniform Commercial Code, Bankruptcy Code and state law.
- Developed and successfully implemented probate court-approved auction procedures for sale of interests in multiple closely held companies.

Transactions

- Represented company in its sale of oil and gas assets in the Eagle Ford and SCOOP.
- Recently represented sellers of a closely held commercial business.
- Routinely represent lenders or counterparties in traditional and sophisticated finance transactions touching virtually every industry.

Business

- Served as outside general counsel to a regional bank for more than a decade.

Honors and Awards

- Listed in the *Chambers USA Guide to America's Leading Lawyers for Business* (2010–2020)
- Selected by peers for inclusion in *The Best Lawyers in America* (2001–Present)
- Listed in *Oklahoma Super Lawyers* (2006–2023)
- Rated AV Preeminent by Martindale-Hubbell Peer Review Ratings

Professional Organizations and Memberships

- Oklahoma Bar Association
- Litigation Counsel of America (Senior Fellow; Order of the Veritas)
- William J. Holloway, Jr. American Inn of Court (Master)