

James C. Bookhout

Partner and Chair, Mergers and Acquisitions Litigation

Commercial Litigation

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James Bookhout is a highly sought-after litigator for complex commercial disputes, particularly concerning mergers and acquisitions (M&A) and private equity or investment fund issues. Clients trust in his extensive experience representing buyers and sellers in indemnification claims and fraud issues in M&A transactions, earnout disputes, handling of working capital and post-closing adjustment disputes, and litigating fiduciary duty and other matters between investors and sponsors in investment funds stemming from private equity transactions.

A trusted advocate in M&A and private equity legal challenges

With deep experience in middle-market transactions, James understands the unique challenges that can arise pre- and post-closing during business combinations. He has helped buyers and sellers navigate disputes during several significant transactions, providing efficient and forward-thinking counsel in matters of varying complexity. He routinely handles litigation issues that arise for portfolio companies.

James's commercial litigation practice focuses on pre- and post-closing M&A disputes. He is a first-chair trial attorney, representing public and private clients in numerous federal and state courts throughout the United States and through all trial phases, including discovery, motion practice, mediation and trial. In particular, James has represented numerous private equity clients in significant post-closing M&A claims, including indemnification and fraud litigation. Clients value James's deep understanding of the law in Delaware and New York applicable to these transactions, as well as his ability to create powerful and practical solutions to their concerns. These same clients often turn to James to assist with their most important litigation matters for their portfolio companies.

Representative Experience

- Represented a private equity firm in a $500 million M&A fraud litigation against the seller.*

Practices

- Commercial Litigation
- Litigation
- Mergers and Acquisitions Litigation

Industries

- Data Centers

Education

- JD, Southern Methodist University Dedman School of Law, *summa cum laude, Order of the Coif*
- BA, Rice University, *magna cum laude*

Bar Admissions

- Texas

Court Admissions

- US Court of Appeals, Fifth Circuit
- US Court of Appeals, Ninth Circuit
- US District Court, Northern District of Texas
- US District Court, Southern District of Texas
- US District Court, Eastern District of Texas
- US District Court, Western District of Texas
- US District Court, District of North Dakota

Professional & Community Involvement

- Association of Corporate Growth, Member
- National Association of Corporate Directors, Member

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- Litigated and successfully enforced written purchase agreement for a private equity firm to require buyer to close a $200 million acquisition.*
- Represented sellers in post-closing dispute in a $17.7 billion public company transaction to enforce covenants against public company.*
- Obtained a complete defense award for a public company in an arbitration regarding a $45 million earnout claim.*
- Represented a publicly traded corporation and board of directors in responding to a proxy nomination dispute initiated by activist investors.*
- Represented a major financial institution in obtaining collection against a loan in excess of $50 million.*
- Represented a multifamily residential development company in highly contentious litigation over a real estate transaction worth approximately $20 million.*

*Experience prior to Katten

Recognitions

Recognized or listed in the following:

- *D Magazine*
  - Best Lawyers Under 40, 2019–2026
- *Super Lawyers Rising Stars*
  - Texas, 2023, 2025–2026

News

- Katten Represents Gamut Capital Management in Acquisition of Acousti Engineering Company (April 13, 2026)
- *D Magazine* Names Four Katten Partners to 2026 ‘Best Lawyers Under 40' List (January 16, 2026)
- Katten Attorneys Named to Super Lawyers Texas List for 2025 (October 31, 2025)
- Katten Represents Airtron in Acquisition of Tucson Peach (May 14, 2025)
- Four Katten Partners Make *D Magazine*'s 2025 "Best Lawyers Under 40" List (January 9, 2025)

- Texas General Counsel Forum, Board Member

- Katten Represents POWER Engineers, Incorporated in Sale to WSP Global Inc. (August 13, 2024)
- Katten Taps James Bookhout to Lead M&A Litigation in Dallas (May 14, 2024)

Publications

- Texas Mini-TCPA Expands to Include Text Messages (August 25, 2025)
- Business Court Bill Furthers Texas' Pro-Corporate Strategy (July 16, 2025)
- Texas Governor Signs HB 40, Expanding Jurisdiction of the Texas Business Court (June 23, 2025)
- Texas Governor Signs New Business-Friendly Governance Law to Promote In-State Corporate Growth: Senate Bill 29 Analysis (May 14, 2025)

Presentations and Events

- 2024 AICPA & CIMA Forensic & Valuation Services Conference (October 28, 2024) | *Speaker* | *Litigation Talk Series - "Demystifying Daubert"*