Gregg J. Costa

Partner

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Houston



Gregg Costa, a partner in the Houston office, is Global Co-Chair of the firm's Trials Practice Group and a former federal trial and appellate judge. Gregg focuses on complex civil trials and white collar matters in Texas and across the country. He combines deep subject matter expertise, having written precedential opinions in almost every area of the law, with first-hand understanding of the arguments that convince judges and juries.

Gregg is one of only two Houston attorneys ranked by *Chambers USA* in both its General Commercial Litigation and White Collar Defense categories. A client told the publication, "I could not imagine going through litigation with anyone else in our corner." Others described Gregg as an "exceptional lawyer and advocate," "an excellent trial lawyer who has excellent knowledge of the law," and an "extraordinary lawyer." In 2025, *Forbes* named Gregg one of America's Top 250 Lawyers. *Lawdragon* has listed Gregg among its 500 Leading Lawyers in America, 500 Leading Litigators in America, and 500 Leading Global Litigators. *Benchmark Litigation* has recognized Gregg as a Litigation Star. He is also recognized by *The Best Lawyers in America*® in Commercial Litigation, Bet-the-Company Litigation, Appellate Law, and White Collar Defense. He was named its 2024 "Lawyer of the Year" for White Collar Defense in Houston. In the last couple years, *AmLaw* has recognized Gregg as a "Litigator of the Week" and a Runner-Up for his trial wins.

Since his return to practice, Gregg has won multiple trials and handled matters of national significance covered by the *Wall Street Journal*, *New York Times,* and *Financial Times*, including the following:

- Lead counsel in obtaining a rare trial victory holding that a patentee waived its patent rights, a result which undid a $175 million infringement verdict against a telecommunications company.
- A lead trial lawyer for Energy Transfer LP and Dakota Access Pipeline in a historic $667 million verdict in a trespass and defamation case. The jury's decision marked the largest verdict in North Dakota's history.
- Hired on the eve of damages trial after adverse liability ruling in case chronicled by *The Wall Street Journal*, Gregg defended wind farm operator in suit brought in Oklahoma federal court by federal government and Osage Nation. At the damages trial, Gregg led the team that convinced the court to strike plaintiffs' main damages expert as unreliable and award less than 1% of damages sought.
- Lead counsel for group of creditors that prevailed in bankruptcy court trial assessing whether liability management transaction violated covenant of good faith and fair dealing. The court rejected that claim against our clients, finding instead that the opposing group of lenders acted in bad faith. *Financial Times* hailed the victory as a "milestone" in the world of "creditor-on-creditor violence."
- Lead counsel for private equity firm in arbitration win involving for-cause

Capabilities

Litigation
Antitrust and Competition
Appellate and Constitutional Law
Class Actions
Consumer Protection
Crisis Management
Energy Regulation and Litigation
Energy and Infrastructure
Intellectual Property
International Arbitration
Mass Torts and Product Liability
Securities Litigation
State Attorneys General
Trials
White Collar Defense and Investigations

Credentials

Education

University of Texas - 1999 Juris Doctor
Dartmouth College - 1994 Bachelor of Arts

Admissions

Texas Bar

Clerkships

US Supreme Court, Hon. William Rehnquist, 2001 - 2002
US Court of Appeals, DC Circuit, Hon. Raymond Randolph, 2000 - 2001

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termination of management company.

- Successfully argued for dismissal of nationwide RICO class action on behalf of industrial conglomerate.
- Obtained dismissal of antitrust boycott suit on behalf of food and beverage conglomerate in widely covered lawsuit challenging cessation of advertising.
- Secured first-ever mandamus on the merits of Texas Business Court decision in obtaining dismissal based on attorney immunity for general counsel who was sued for tortious interference in connection with for-cause termination of CEO.
- Achieved anti-SLAPP dismissal of claims brought against lawyer and law firm in vindication of First Amendment and attorney immunity.

As a federal prosecutor in Houston, Gregg handled the following matters:

- Successful prosecution of Allen Stanford, the head of Stanford Financial Group, for orchestrating a multibillion-dollar international fraud scheme. For his work trying the Stanford case, Gregg received DOJ's John Marshall Award for Trial of Litigation and the Assistant Attorney General's Award for Exceptional Service. Gregg is featured in a documentary about the case, *The Man Who Bought Cricket*. A *Reuters* story discussing the closing arguments quotes a victim who said Gregg's closing argument "brought her to tears."
- Successful prosecution of energy traders and LyondellBasell employee who engaged in an $80 million kickback scheme that inflated the cost of shipping oil to Houston refinery.
- Tried over fifteen cases and argued multiple appeals in the Fifth Circuit.

Before joining Gibson Dunn, Gregg was a judge on the U.S. Court of Appeals for the Fifth Circuit from 2014 to 2022. After his nomination by President Obama, the Senate confirmed him by a vote of 97-0. No federal appellate judge nominated since has received more votes. Gregg also served as a district judge for the Southern District of Texas from 2012 to 2014 and presided over more than two dozen trials. When appointed to the bench, he was the youngest federal judge at age 39. Gregg was invited by the Federal Judicial Center to train new federal district judges. Press accounts of his judicial tenure described Gregg as an "exceptionally gifted jurist" with a "towering intellect" who was "respected by all sides."

Gregg graduated with highest honors from the University of Texas School of Law, where he served as Editor-in-Chief of the *Texas Law Review.* After law school, he clerked for Chief Justice William Rehnquist and for Judge A. Raymond Randolph of the D.C. Circuit. Between clerkships, he served as a Bristow Fellow in the Office of Solicitor General. He has taught Federal Jurisdiction at the University of Houston Law Center, which named him an Honorary Alumnus in 2021.

Before law school, Gregg was a fourth-grade teacher in the Mississippi Delta with Teach for America, which he credits with teaching him how to simplify complex information for any audience. Gregg has remained involved in education, launching the Sunflower County Freedom Project, a nonprofit in Mississippi; serving on the boards of Teach for America's Houston region and the Houston Urban Debate League; and teaching Government at a Houston-area charter school. Gregg is also active in organizations aiming to improve the justice system. He is a trustee of the Center for American and International Law and a member of the American Law Institute. For ALI, Gregg currently serves as an advisor to its Restatement on Election Litigation and previously advised its Principles of Policing. Gregg also maintains an active pro bono practice and serves on Gibson Dunn's Pro Bono Committee.

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