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You led the trial team representing Energy Transfer in a long-running dispute over 2016 Dakota Access Pipeline protests. The case—which alleged trespass, defamation, conspiracy, and other claims by three Greenpeace groups—was tried in a North Dakota state court. In March 2025, the jury delivered its verdict, awarding \$667 million in damages to Energy Transfer. (A judge later reduced that amount to \$345 million.) Tell us about your trial strategy.

Our strategy had three non-negotiables: clear narrative, factual mastery, and attorney-led analytics. From day one, we built one provable trial story: Greenpeace did not merely protest; it led, organized, and funded coordinated trespass, defamation, and financial sabotage against a legally approved pipeline. We distilled thousands of documents into seven verdict-form facts, used lawyer-directed AI and e-discovery tools to prove intent and causation months before trial, and focused every witness and every clip to reinforce them. Coherence won.

The jury's unanimous verdict was only the beginning. When Greenpeace International filed suit in the Netherlands two weeks before trial, seeking to have the North Dakota judgment declared "manifestly unfounded," we moved for an anti-suit injunction. The North Dakota Supreme Court agreed, holding the Dutch action was a collateral attack on the jury's verdict and directing the district court to enter an injunction protecting it. On June 3, the Amsterdam court rejected Greenpeace's central theory, holding the EU anti-SLAPP directive does not apply under Dutch law.

Tell us about some of the challenges you faced in *Energy Transfer LP v. Greenpeace International* and how you overcame them.

The first challenge was the weather: 20 below zero when trial began. We could not control that. The real challenge was correcting the frame against Greenpeace's propaganda machine. For years, Greenpeace had tried to make the case about free speech—peaceful protest against corporate overreach. We had to show the jury something different: a funded, coordinated campaign of trespass, surveillance, defamation, and deliberate financial sabotage. The documents were the key. Greenpeace's own emails showed they were not bystanders; they were architects. We let the documents speak, then let Greenpeace witnesses evade and equivocate on cross-examination.

Jurors understand people. They know when someone tells the truth, and they know when someone dodges simple questions contradicted

by contemporaneous paper. The final challenge was damages. Translating pipeline delay and reputational harm into a dollar figure required disciplined expert work and early stress-testing, long before trial—not in the final week before closing argument.

Take us back. When did you first know you wanted to be a trial lawyer?

When I walked off the field from my last college football game and came to grips with the fact I had gone as far as my athletic ability would take me, but my desire to compete had not gone anywhere. Trying cases seemed like the closest thing to athletic competition I could find.

The process felt familiar. You study your opponent. You assess the challenges. You build a game plan. You take it to the practice field, test it, expose the weak spots, make adjustments, and keep getting better. Then you step onto the field (or into the courtroom) and trust that the hard work and preparation will hold up under pressure. That is what drew me to trial law, and it is still what I love about it today.

What are the major keys to winning over a jury or a judge?

Credibility wins. It is a lawyer's stock in trade. Jurors trust lawyers who tell the truth, then prove it with documents, corroboration, and plain facts. Do not overstate, dodge bad facts, or ask jurors to accept claims the record will not support. Every theme, witness, and exhibit must build trust. Credibility comes from restraint, consistency, and conduct. Jurors watch everything. In the end, credibility is not declared. It is demonstrated.

What is the best advice you give young trial lawyers?

Earn credibility before you try to persuade. Know the record cold. Say only what you can prove. Treat jurors, witnesses, and opposing counsel with respect. Juries forgive imperfection; they do not forgive overstatement and disrespect.

Editor's note: Trey Cox worked alongside fellow Gibson Dunn partner Collin Cox on the Energy Transfer case. Collin Cox is a 2026 Unrivaled honoree for his trial work on a separate matter.