

# TEXAS

## Local litigation firms

### Highly recommended

Gibbs & Bruns

McKool Smith

Nix Patterson & Roach

Provost Umphrey Law Firm

Susman Godfrey

Ward & Smith

### Recommended

Bailey Perrin Bailey

Vorys Sater Seymour and Pease

## Local litigation stars

### Jeffery Angelovich

Nix Patterson & Roach  
Antitrust, Commercial Litigation, Intellectual Property, Securities

### Michael Angelovich

Nix Patterson & Roach  
Commercial Litigation, Intellectual Property

### Camp Bailey

Bailey Perrin Bailey  
Civil Litigation, Personal Injury, Toxic Tort

### Ken Bailey

Bailey Perrin Bailey  
Civil Litigation, Personal Injury, Toxic Tort

### Bradley Beckworth

Nix Patterson & Roach  
Class Action, Intellectual Property, Securities

### Vineet Bhatia

Susman Godfrey  
Antitrust, Commercial Litigation

### Anthony Bruster

Nix Patterson & Roach  
Intellectual Property, Products Liability

### Jeffrey Carter

McKool Smith  
Intellectual Property

### Doug Cawley

McKool Smith  
Intellectual Property

### Paul Ferguson

Provost Umphrey Law Firm  
Personal Injury, Products Liability

### Lee Godfrey

Susman Godfrey  
Commercial Litigation

### Marc Gravely

Gravely & Pearson  
Insurance

### Geoffrey Harrison

Susman Godfrey  
Commercial Litigation

### Wesley Hill

Ward & Smith  
Intellectual Property, Oil & Gas

### Mark Lanier

The Lanier Law Firm  
Civil Litigation, Personal Injury, Toxic Tort

### Kenneth Marks

Susman Godfrey  
Commercial Litigation

### Mike McKool

McKool Smith  
Commercial Litigation, Intellectual Property

### Harold Nix

Nix Patterson & Roach  
Personal Injury, Products Liability, Toxic Tort

### David Oliver

Vorys Sater Seymour and Pease  
Personal Injury

### Karen Oshman

Susman Godfrey  
Commercial Litigation, Securities

### Kathy Patrick

Gibbs & Bruns  
Securities

### Brady Paddock

Nix Patterson & Roach  
Intellectual Property

### Cary Patterson

Nix Patterson & Roach  
Intellectual Property, Personal Injury, Products Liability, Toxic Tort

### Matthew Pearson

Gravely & Pearson  
Insurance

### Michael Perrin

Bailey Perrin Bailey  
Civil Litigation, Personal Injury, Toxic Tort

### Shawn Raymond

Susman Godfrey  
Class Action, Commercial Litigation, Personal Injury

### Nelson Roach

Nix Patterson & Roach  
Antitrust, Commercial Litigation, Personal Injury, Products Liability, Toxic Tort

### Mary Sammons

Susman Godfrey  
Commercial Litigation

### Brad Seidel

Nix Patterson & Roach  
Class Action, Commercial Litigation, Securities

### Neil Smith

Nix Patterson & Roach  
Commercial, Intellectual Property, Personal Injury

### Theodore Stevenson

McKool Smith  
Commercial Litigation, Intellectual Property

### Harry Susman

Susman Godfrey  
Commercial Litigation

### Stephen Susman

Susman Godfrey  
Commercial Litigation

**Katherine Treistman**

Susman Godfrey  
Commercial Litigation

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**Max Tribble**

Susman Godfrey  
Commercial Litigation, Intellectual Property

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**Thomas Walter Umphrey**

Provost Umphrey Law Firm  
Labor & Employment, Personal Injury

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**Gordon White**

McKool Smith  
Intellectual Property

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**Steven Wolens**

McKool Smith  
Class Action, Commercial Litigation

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**John Ward, Jr**

Ward & Smith  
Commercial, Intellectual Property, Oil & Gas,  
Personal Injury

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**Mark Wawro**

Susman Godfrey  
Commercial Litigation, Securities, Intellectual  
Property

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# Texas

**Tort reform changed Texas litigation in a big way a few years ago, rendering some products liability areas dead, while doctors flocked to the state seeking its strong medical malpractice protection. East Texas remains a hotbed of intellectual property litigation, though defendants are beginning to aggressively challenge cases brought in the “Rocket Docket” on venue grounds. The oil and gas industry remains the engine driving Texas litigation, particularly as hydraulic fracturing opens up large natural gas fields previously unavailable.**

## Highly recommended firms

### Gibbs & Bruns

With around 30 lawyers, Gibbs & Bruns operates as a lean litigation boutique, taking and winning big cases, both as a plaintiff and defendant. The firm touts its plaintiffs experience, claiming that approaching all cases with a plaintiff’s mentality give it an edge. “We are still a client and would look to them for representation in significant commercial disputes, either as a defendant or plaintiff,” says a client. “The firm is recognized as a true trial firm with a highly competent appellate and legal research capability.” Another adds: “I believe they have the best plaintiff’s lawyer reputation in Texas for serious business disputes.”

While **Kathy Patrick** epitomizes the bulldog litigator image, multiple peers who worked alongside her also felt she was the smartest lawyer involved in the case. “She beat the tar out of us in a case,” says a competitor. “We settled.” Patrick recently represented 22 mortgage-backed securities investors who sued Bank of America to force them to buy back the investments, securing a, \$8.5 billion settlement that surprised industry analysts who expected a longer fight. When Texas billionaire Trevor Rees-Jones sold his energy company in 2006, it came as a surprise to former minority shareholder Bobbitt Noel, Jr, who recently allowed Rees-Jones to buy out his shares based on what he claimed was a much lower valuation of the company. **Grant Harvey** took the case, and in May 2011, a judge handed down a \$196 million judgment, citing fraud and breach of fiduciary duty. Specializing in complex commercial litigation, **Barrett Reasoner** draws praise for his approach. “Barrett Reasoner is professional, respectful of opponents, but aggressive and hones in on the issues very quickly,” says a competitor.

### McKool Smith

McKool Smith represents both plaintiffs and defendants in complex commercial, antitrust, bankruptcy, intellectual property and white-collar crime litigation. The firm’s over 130 litigators work out of New York City, Washington DC, and three offices in Texas: Austin, Houston and Marshall. “McKool Smith down here does an excellent job,” says a competitor.

**Douglas Cawley** recently won a \$290 million judgment for i4i against Microsoft, convincing the judge that technology used in Microsoft Word infringed on an i4i patent. The case, which was decided by the US Supreme Court, was closely watched, as observers believe it will shape how patent cases are handled in the future. **Michael McKool** handles some of the firm’s largest litigation, including work for clients like Lockheed Martin, American Airlines and Excel Communications, drawing praise beyond Texas for his commercial and intellectual property work. **Theodore Stevenson III** has over 20 years experience handling intellectual property disputes for clients like Medtronic, Ericsson and Omni Financial. “Ted Stevenson is a really fine, mostly plaintiffs, IP lawyer,” says a peer. Working out of Austin, **Gordon White** handles patent litigation, especially with complex electrical technology, telecommunications, computer hardware and computer software. He has represented clients like Texas MP3, American Video Graphics and Ericsson. Steven Wolens represents clients like the cities of San Antonio and San Diego in complex class action and commercial litigation.

### Nix Patterson & Roach

Founded in Daingerfield in 1965, Nix Patterson & Roach has grown to include offices in Daingerfield, Dallas, Austin and Texarkana. The firm focuses on quality, and its attorneys are accomplished from top to bottom; all 10 partners at the firm achieved litigation star status. The firm’s lawyers handle a wide range of litigation needs, but are best represented by their work in toxic tort, securities fraud, personal injury, nursing home negligence, commercial, products liability, intellectual property, automobile accident and wrongful death litigation. Nix, Patterson & Roach is currently serving as interim lead counsel in a class action brought by Compsource Oklahoma against Bank of New York Mellon seeking to recover losses suffered in Bank of New York Mellon’s investments in medium-term notes of Sigma Finance. They also serve as co-lead counsel on behalf of the Teachers Retirement System of Oklahoma and the Oklahoma Law Enforcement Retirement System in a securities fraud case against Delphi, arising

out of Delphi’s restatement of all of its financial statements for a period of five years dating back to its spin-off from General Motors. The firm secured a \$320 million settlement of behalf of the class.

### Provost Umphrey Law Firm

With two locations in Texas, Beaumont and Tyler, Provost Umphrey Law Firm handles pharmaceutical, personal injury, wrongful death, automobile accident, chemical exposure, toxic tort, financial and hurricane insurance matters. Founded in 1969 by two lawyers from Port Arthur, the firm has over 30 lawyers. The firm is particularly focused on its drug and medical device practice, handling Accutane, hip replacement, Meridia, Avandia, Fixodent, Poligrip, hormone replacement therapy and intra-articular pain pump issues. The firm recently agreed to settle claims on behalf of 5,000 Central and South American farm workers exposed to dibromochloropropane, which was banned in the US, while working for Dole in the 1970s and 1980s. **Paul Ferguson** specializes in personal injury and products liability litigation. He has handled industrial accidents, automobile collisions, 18-wheeler liability, automotive products liability, commercial products liability, toxic torts and general negligence cases. **Thomas Walter Umphrey** serves as managing partner of the firm. A former prosecutor with the Jefferson County District Attorney’s Office, Umphrey handles personal injury and labor and employment matters.

### Susman Godfrey

Founded in 1980, Susman Godfrey is noted for its aggressive litigation, handling high-stakes matters out of Houston, Dallas, Los Angeles, Seattle and New York. The firm’s 89 litigators carry a reputation as lawyers who relish going to trial. The firm has represented clients like Gateway, MicroUnity and Luminant. The firm is a leading proponent of alternative fee arrangements, with one client stating, “We chose them on reputation and fee structure.”

**Lee Godfrey** draws exceptional praise from peers and was chosen by President Bill Clinton to serve as ambassador to Brazil in 1996. “Lee Godfrey is one of the finest trial lawyers in the US,” says a peer. “He is bright, engaging and very creative.” **Kenneth Marks** draws praise for his courtroom presence. “Kenny Marks is a good questioner off the cuff and pretty thoughtful,” says a competitor. For over 18 years, **Vineet Bhatia** has handled high-stakes commercial disputes for plaintiffs and defendants. He recently resolved a \$500 million mortgage insurance dispute on behalf of Genworth Mortgage. **Stephen Susman** has represented client in high-profile cases, including Frank McCourt in his divorce proceedings, Industrial Recovery Capital Holdings in a \$178 million victory, and Sky Technologies in a patent infringement matter. Susman is also praised

for building the depth of the firm. “Steve Susman hires very smart people,” says a competitor.

#### **Ward & Smith**

A litigation boutique operating out of Longview, Ward & Smith has forged a strong reputation, receiving 90% of its business from referrals from other lawyers and former clients. The firm handles complex litigation in business matters, including intellectual property, oil and gas, and breach of contract, as well as personal injury litigation. The firm recently won a \$23 million verdict on behalf of Fractus in an antenna patent infringement claim against Samsung. The jury found the infringement to be willful. In March 2011, the firm won a \$5.4 million verdict on behalf of Cheetah Omni, which claimed Verizon FiOS used optical processing technologies that infringed on Cheetah patents. **Wesley Hill** handles patent, oil and gas, business, and federal criminal defense litigation and has won multimillion-dollar plaintiffs verdicts for his clients. **John Ward Jr** has first chair trial experience in over 30 jury trials, covering car wrecks, 18-wheeler accidents, wrongful death and survival claims, premises liability, medical malpractice, consumer disputes, first-party insurance claims, will contests,

civil rights violations, and patent infringement actions. “Johnny Ward is a very up and coming promising lawyer,” says a competitor. United States District Judge for the Eastern District of Texas John Ward, Sr, who is responsible for the federal intellectual property docket in Eastern Texas, is stepping down in September 2011, to join the firm.

#### **Recommended firms**

##### **Bailey Perrin Bailey**

A large civil litigation law firm with over 20 lawyers specializing in personal injury litigation, Bailey Perrin Bailey has won thousands of favorable settlements and verdicts in toxic exposure, business fraud, personal injury, industrial accident, products liability, defective drug and other civil matters. Founding partner **Ken Bailey** devotes his practice to mass torts and personal injury. He represented the Texas in litigation against the tobacco companies in 1997 resulting in the largest settlement in US history. Founding partner **Michael Perrin** handles civil litigation, personal injury and mass torts, with particular focus on matters involving electrical transformers, overhead power lines and other injury cases related to the distribution of electricity.

##### **Vorys Sater Seymour and Pease**

Founded in 1909, Vorys Sater Seymour and Pease has almost 400 lawyers working from offices in Ohio, Texas and Washington DC. The firm handles a wide-range of litigation, labor and employment law, corporate law, commercial law, and tax law matters. **David Oliver** holds degrees in both chemistry and biology, and specializes in cases involving allegations of injuries due to exposure to chemicals or pharmaceuticals.

##### **Yetter Coleman**

A litigation boutique set up to handle high-stakes business and technology litigation, Yetter Coleman has been a strong presence in Houston since 1997, though really drawing attention lately. “I’ve worked with and against them,” says a competitor. “They are top-notch folks.” The firm has drawn particular notice for its plaintiff work. “They are a good firm,” says a peer. “I think of them as mostly plaintiffs, but they do both [plaintiff and defense].” **Paul Yetter** has over 25 years of experience handling commercial, securities and intellectual property litigation. “Everyone who talks about Paul Yetter holds him in the highest regard,” says a competitor, with another adding, “Paul seems to be in all the big cases in Houston.”



This year our clients have said

# Thanks a Billion

... and that's just for the first six months of 2011.

**McKool Smith is synonymous with success in high stakes trials.**

This year, we have secured more than \$1 BILLION in courtroom verdicts, judgments, and settlements, which proves what our clients already know: When it comes to litigation, McKool Smith delivers.

**Most National Law Journal "Top 100 Verdicts"**

Won more "Top 100 Verdicts" over the last 5 years than any other law firm.

**"Law Firm of the Year"**

Recognized by client Lennox International following successful defense in nationwide consumer class action.  
April 2011

**"Patent Case of the Year"**

Received *Managing Intellectual Property* magazine's top honors for our victory in *i4i v. Microsoft*.  
March 2011

**"Midsize Hot List"**

Only firm in U.S. listed three consecutive years by *The National Law Journal*.  
July 2011

**Licensing and Settlement Agreements**

Negotiated licensing and settlement agreements generating hundreds of millions of dollars.  
January - June 2011

**U.S. Supreme Court Upholds**

**\$290 Million Judgment**

*i4i Ltd. Partnership v. Microsoft*  
June 2011

**\$345 Million Verdict**

*Versata Software Inc., et al. v. SAP America Inc., et al.*  
May 2011

**\$20 Million Jury Verdict Affirmed**

*City of San Antonio, Texas, et al. v. Hotels.com, L.P., et al.*  
July 2011

## McKool Smith

[www.mckoolsmith.com](http://www.mckoolsmith.com)

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