



LIONS OF THE TEXAS BAR

Robin Gibbs – The Father of the Litigation Boutique in Texas

By Mark Curriden

Long before Steve Susman, David Beck, Mike McKool and Mike Lynn left big law firms to start their own litigation boutiques, there was Robin Gibbs.

In 1974, Gibbs was a third year associate at Vinson & Elkins in Houston. He was in court every week defending insurance companies in civil lawsuits before juries. A 1971 graduate of the University of Texas School of Law, Gibbs was well on his way to partnership at the elite Houston full service firm when he got an itch.

"I had this feeling that there was a need for a small law firm that focused exclusively on litigation – a firm that represented businesses and individuals in suing bigger companies," he says. "It turns out, there was such a demand."

Gibbs combined two great Texas traits – being an entrepreneurial businessperson and being a great trial lawyer – to become the father of the modern day litigation boutique.

The desire to be a trial lawyer was instilled early in his childhood as he would listen to his uncle, who was a great trial advocate in San Antonio,

tell stories for hours about cross-examining witnesses, arguing important cases to juries and using the courts to right wrongs.

"The stories fascinated me," he says. "I was hooked and knew early in my life that I wanted to be a trial lawyer."



As the founding partner at Houston-based Gibbs & Bruns, he has led his team of 32 lawyers through four decades of extraordinary victories that have scored clients billions of dollars and saved other clients from having to pay billions of dollars. He has represented Waste Management, Kinder Morgan, Chevron and ConocoPhillips. During the past few years, Gibbs and the firm have represented mutual funds

giants Pimco and Goldman Sachs in a series of multibillion-dollar lawsuits against Bank of America, Citigroup, JP Morgan Chase and other financial institutions for their roles in the mortgage-backed securities fiasco.

Bank of America has settled for \$8.5 billion. The other cases are still being litigated.

Gibbs remembers his first jury trial in 1971 – a property damage case involving a car accident. He defended American General Insurance. Less than \$1,000 was at stake.

"I was so nervous waiting for the jury to return with the verdict," he says. "That anxiety over picking a jury and waiting for the verdict has never gone away." >

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The jury ruled unanimously in favor of AGI.

In 1979, he represented a man accused of trade secrets violations. The company sought \$25 million, but it got nothing.

Over the next few years, Gibbs won verdicts of \$8 million, \$60 million and \$84 million.

In 1994, Gibbs represented the Apex Mutual Fund in a lawsuit against N-Group Securities over the insurance and sale of \$74 million in mortgage revenue bonds used to develop six private prisons in Texas.

During the trial, Gibbs was able to show that a defendant had loaned \$50,000 to a key witness in return for the witness testifying to certain facts.

"We found a transcript of questions and answers that accompanied the loan documents to the witness," he says. "It was a major material factor in the jury awarding our client \$84 million in damages."

In 1995, Colorado Interstate Gas, a subsidiary of Coastal, hired Gibbs to defend the company against allegations that CIG had underpaid royalties to the family landowners. The plaintiffs also alleged breach of contract and fraud and sought \$400 million in damages.

"The plaintiff's lawyer was so confident in a victory that he purchased an apartment in Paris based on money he expected to win," Gibbs says.



"But this case is why the jury system is so unique and must be protected. This was a case in a jurisdiction where many people believe the jury would have been very hostile to our client and favorable to the hometown plaintiffs."

After six weeks of testimony, evidence and arguments, the jury gave Gibbs' client a complete victory.

The plaintiffs got \$0.

Barrett Reasoner, a partner at Gibbs & Bruns, says the Colorado Interstate Gas case in Amarillo is a perfect example of Gibbs showing why he is so successful.

The judge in the trial repeatedly refused to allow Gibbs to introduce to the jury certain evidence that was favorable to the defense.



"Robin kept pushing and pushing, repeatedly showing the judge why the evidence was important in the case," Reasoner says. "If we had not gotten this evidence to the jury, we would almost certainly have lost the case."

"When other lawyers want to crawl under counsel's table, Robin always charges on," he says.

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