

# TEXAS

## Local litigation firms

### Highly recommended

Baker Botts

Beck Redden & Secrest

Fulbright & Jaworski

Gibbs & Bruns

McKool Smith

Susman Godfrey

Vinson & Elkins

### Recommended

Andrews Kurth

Bracewell & Giuliani

Haynes & Boone

Jones Day

King & Spalding

Locke Lord Bissell & Liddell

Lynn Tillotson Pinker & Cox

Mayer Brown

Reynolds Frizzell Black Doyle Allen & Oldham

Smyser Kaplan & Veselka

Sutherland Asbill & Brennan

Thompson & Knight

## Local litigation stars

### Thomas Ajamie

Ajamie  
Commercial

### John Anaipakos

Baker Botts  
Business, Energy, Professional Liability

### C Mark Baker

Fulbright & Jaworski  
International Arbitration

### Glenn Ballard Jr

Bracewell & Giuliani  
Commercial, Intellectual Property

### Nicolas Barzoukas

Weil Gotshal & Manges  
Intellectual Property

### Vance Beagles

Weil Gotshal & Manges  
Class Actions, Commercial Litigation, Securities

### David Beck

Beck Redden & Secrest  
Commercial

### Vineet Bhatia

Susman Godfrey  
Commercial

### R Doak Bishop

King & Spalding  
International Arbitration

### Jon Bowman

King & Spalding  
International Arbitration

### Robert Burford

Burford Maney  
Business, Commercial

### George Bramblett, Jr

Haynes & Boone  
Business Torts, Commercial

### Richard Caldwell

Andrews Kurth  
Commercial, Insurance, Product Liability

### John Carter

Vinson & Elkins  
Commercial

### Jerry Clements

Locke Lord Bissell & Liddell  
Commercial

### Rachel Giesber Clingman

Sutherland Asbill & Brennan  
Aviation, Energy, Insurance

### Gregory Coleman

Yetter Coleman  
Business, Insurance, Intellectual Property, Securities

### James Coleman, Jr

Carrington Coleman Soman & Blumenthal  
Commercial

### Nina Cortell

Haynes & Boone  
Appellate, Commercial

### Stephen Crain

Bracewell & Giuliani  
Intellectual Property, Internal Investigations

### Alistair Dawson

Beck Redden & Secrest  
Antitrust, Commercial

### William Dawson

Vinson & Elkins  
Intellectual Property, Oil & Gas, Professional Liability, Securities

### Otway Denny, Jr

Fulbright & Jaworski  
Commercial, Mass Torts

### Stephen Dillard

Fulbright & Jaworski  
Commercial, Product Liability

### Bryan Farney

Dechert  
Intellectual Property

### Murray Fogler

Beck Redden & Secrest  
Appellate

### Jean Frizzell

Reynolds Frizzell Black Doyle Allen & Oldham  
Commercial

### David Genender

Baker Botts  
Business, Product Liability

### Robin Gibbs

Gibbs & Bruns  
Commercial

### Mark Giugliano

Gibbs & Bruns  
Commercial

### Mark Glasser

Baker Botts  
Commercial, Securities

### H Lee Godfrey

Susman Godfrey  
Bankruptcy, Commercial

### Michael Goldberg

Baker Botts  
Commercial, International Arbitration, White Collar Crime



**Melanie Gray**

Weil Gotshal & Manges  
Bankruptcy, Commercial

**David Gunn**

Beck Redden & Secrest  
Appellate

**Cliff Gunter**

Bracewell & Giuliani  
Antitrust, White Collar Crime

**Rusty Hardin**

Rusty Hardin & Associates  
Civil, Criminal

**Grant Harvey**

Gibbs & Bruns  
Commercial

**Karen Hirschman**

Vinson & Elkins  
Antitrust, Commercial Litigation

**Gregory Huffman**

Thompson & Knight  
Antitrust

**Thomas Jackson**

Jones Day  
Antitrust

**Lee Kaplan**

Smyser Kaplan & Veselka  
Intellectual Property

**William Knull III**

Mayer Brown  
Commercial

**Peter Kraus**

Waters Kraus  
Commercial, Pharmaceutical Injury, Toxic Torts

**Kevin Kudlac**

Weil Gotshal  
Intellectual Property

**W Mark Lanier**

The Lanier Law Firm  
Civil

**Mike Lynn**

Lynn Tilotson Pinker & Cox  
Commercial

**James Maloney**

Baker Botts  
Commercial, Securities

**Neal Manne**

Susman Godfrey  
Commercial Litigation, Energy Litigation

**Kenneth Marks**

Susman Godfrey  
Commercial

**Sydney McDole**

Jones Day  
Commercial, Product Liability

**Mike McKool**

McKool Smith  
Commercial

**Barry McNeil**

Haynes & Boone  
Antitrust

**Robert Meadows**

King & Spalding  
Product Liability, Toxic Torts

**David Noteware**

Thompson & Knight  
Energy, Franchise

**Knox Nunnally**

Vinson & Elkins  
Business, Commercial, Product Liability

**Yvette Ostolaza**

Weil Gotshal & Manges  
Commercial

**Kathy Patrick**

Gibbs & Bruns  
Securities

**Rod Phelan**

Baker Botts  
Intellectual Property

**Michael Powell**

Locke Lord Bissell & Liddell  
Antitrust, Appellate, Commercial

**Barrett Reasoner**

Gibbs and Bruns  
Commercial

**Harry Reasoner**

Vinson & Elkins  
Antitrust, Appellate, Commercial

**Joe Redden, Jr**

Beck Redden & Secrest  
Intellectual Property, Product Liability

**James Reeder, Jr**

Vinson & Elkins  
Antitrust, Business, Commercial, Securities

**Tracie Renfroe**

King & Spalding  
Climate Change, Commercial, Energy,  
Environmental, Product Liability, Toxic Torts

**Chris Reynolds**

Gibbs & Bruns  
Commercial, Intellectual Property

**Steven Roberts**

Sutherland Asbill & Brennan  
Insurance

**M Sean Royall**

Gibson Dunn & Crutcher  
Antitrust, Appellate, Commercial, Intellectual  
Property

**Richard Sayles**

Sayles Werbner  
Commercial

**Stephen Scheve**

Business, International Arbitration, Pharmaceutical,  
Product Liability

**Robert Schick**

Vinson & Elkins  
Product Liability

**David Sterling**

Baker Botts  
Business, Corporate Investigations, Professional  
Liability, Securities

**Karl Stern**

Vinson & Elkins  
Commercial, International Dispute  
Resolution, Oil and Gas, Securities,

**Craig Smyser**

Smyser Kaplan & Veselka  
Commercial

**Daniel Stewart**

Vinson & Elkins  
Bankruptcy

**John Strasburger**

Weil Gotshal & Manges  
Bankruptcy, Commercial, Product Liability

**Harry Susman**

Susman Godfrey  
Commercial

**Stephen Susman**

Susman Godfrey  
Commercial

**Michael Sutton**

Locke Lord Bissell & Liddell  
Intellectual Property

**G Irvin Terrell**

Baker Botts  
Antitrust, Commercial, Securities

**Jeffrey Tilotson**

Lynn Tilotson Pinker & Cox  
Commercial

**Terry Tottenham**

Fulbright & Jaworski  
Product Liability

**Robb Voyles**

Baker Botts  
Commercial, Product Liability

**Mark Wawro**

Susman Godfrey  
Antitrust, Commercial

**Gene Williams**

Shook Hardy & Bacon  
Insurance, Product Liability

**Marie Yeates**

Vinson & Elkins  
Appellate

Future stars

Sydney Ballesteros  
Gibbs & Bruns

Shelbi Barnhouse  
Carrington Coleman Sloman & Blumenthal

Hunter Barrow  
Thompson & Knight

Bradley Benoit  
Bracewell & Giuliani

Brent Benoit  
Locke Lord Bissell & Liddell

Jonathan Bridges  
Susman Godfrey

Brad Coffey  
Beck Redden & Secrest

Vijay D'Cruz  
Locke Lord Bissell & Liddell

Tricia DeLeon  
Bracewell & Giuliani

Andrew Ehmke  
Haynes & Boone

Aundrea Frieden  
Gibbs & Bruns

Brett Govett  
Fulbright & Jaworski

Joseph Grinstein  
Susman Godfrey

Kenneth Held  
Vinson & Elkins

Kristen McKeever  
Smyser Kaplan & Veselka

Jason Powers  
Vinson & Elkins

Travis Sales  
Baker Botts

Charles Walker, Jr  
Charles Walker

Christopher Wray  
King & Spalding



# Texas

**The Gulf oil spill and the EPA's aggressive position toward gas emissions are driving significant energy litigation in Texas. The state is also seeing an increase in actions arising out of the subprime financial crash, as companies are taking a bold stance on protecting their interests. In a nationally watched case that was among the first to hold banks complicit in financing agreements, a Texas court awarded the plaintiff one of the largest settlements ever reached in a litigated merger.**

## Highly recommended firms

### Baker Botts

Known for its expertise in appellate, energy, and general commercial litigation, Baker Botts is a Houston-based firm that rose to national prominence in the early 1900s with the emergence of the oil industry. The firm has gone through a few name changes since its inception in 1840 and made Baker Botts its official name in 2000. That same year, several of the firm's lawyers were on President George W. Bush's legal team following the election, reflecting the firm's extensive ties to both Bush administrations. "Very, very good lawyers," says a competitor. In addition to its Houston office, the firm's Texas offices are in Austin and Dallas.

The firm recently won a victory for Iberdrola Renewables in obtaining the dismissal of a lawsuit alleging the company had failed to comply with the Coastal Zone Management Act in its construction of wind-energy facilities in South Texas. The Fifth Circuit Court of Appeals affirmed the decision.

Noted for his securities practice, David Sterling represented Credit Suisse and Deutsche Bank in connection with Huntsman Corporation's failed merger with Hexion. "He has a very nice and effective manner, very deliberate, not a hothead, very rational, very sort of, 'Here judge, let me help you understand this,'" says a peer. G. Irvin Terrell, James Edward Maloney, and Rod Phelan are widely regarded as among the firm's strongest litigators. Stephen Scheve excels in handling product liability matters. "Scheve's a real trial lawyer," says a competitor. Peers commend Michael Goldberg for his commercial and international arbitration practice. He has been Ford Motor Company's national counsel for 20 years.

### Beck Redden & Secrest

Individuals and corporations recruit the lawyers of Beck Redden & Secrest when they need aggressive representation in court. A client says while another Texas firm had done a superb job with most

aspects of a recent case, he sought out David Beck because "I felt like I needed an alpha dog litigator." The 40-lawyer litigation boutique excels in commercial, energy, and oil and gas litigation.

Beck is widely renowned as one of the top trial lawyers in the US. A client describes him as a hands-on attorney who invests himself in all stages of a case. "I think that one of his strongest points is that he is very incisive in his cross-examination and in his questioning of witnesses, which was in stark contrast to the plaintiffs' approach," the client adds. "He gets in, he asks the questions he needs to ask and no more." David Gunn is recognized for his appellate work, having regularly appeared before the Texas Supreme Court. "He is one of the most quietly extraordinary appellate lawyers I've ever seen," says a peer. "He has a very unique perception on judges. He knows every judge on every appellate court. He has an amazing ability to tailor the briefing and the argument. He is just first-rate." Murray Fogler has a diverse commercial practice that covers antitrust, oil and gas, and breach of contract cases. "Murray Fogler is really one of the up and coming trial lawyers," says a competitor. "He's got a quiet style about him, and he certainly belongs on there."

The firm successfully represented Memorial Hermann Healthcare System in an antitrust case brought by physician-investors who attributed the failure of their physician-owned hospital in West Houston to the hospital's alleged antitrust violations. In the trial, which lasted more than two months, the plaintiffs sought \$25 million in damages and several million in attorneys' fees. The firm obtained a complete defense verdict, and the plaintiffs decided not to oppose the final judgment.

### Fulbright & Jaworski

Founded in 1919 in Houston, Fulbright & Jaworski excels in antitrust, intellectual property, mass tort, product liability, and securities matters. Its additional offices in Texas are in Dallas, Austin, and

San Antonio. "We use them for a broad range of issues – good to work with, lot of talent. They're responsive," says a client. C. Mark Baker is noted for his work in commercial and business matters, with significant expertise in banking, financial, and securities litigation. Otway Denny, Jr., focuses on product liability disputes involving automobiles, chemicals, and construction equipment. His cases have included refinery and plant explosions at major facilities in the Gulf Coast region. Stephen Dillard has experience in commercial litigation, including working on matters involving environmental, toxic tort, and chemical exposure. Terry Tottenham has a diverse litigation practice that includes significant experience in pharmaceutical and medical device litigation.

The firm represented the International Speedway Corporation in an antitrust suit brought by the Kentucky Speedway in Ohio, alleging NASCAR and ISC had violated the Sherman Act by refusing to grant a sanction for a NASCAR Sprint Cup race to the speedway. The action, which sought \$400 million in damages, threatened the structure of professional stock car racing. The defendants obtained summary judgment from the district court, which concluded the speedway had not established it had suffered antitrust injury.

### Gibbs & Bruns

Gibbs & Bruns tackles some of the most challenging and significant cases in the US. Just in the last year, the firm obtained a \$23.4 million award in damages for its client against the Port of Houston Authority and settled \$1.7 billion mid-trial for Huntsman Corporation. Some of the key partners of those decisions, however, left in the last year to form their own boutique, Reynolds Frizzell Black Doyle Allen & Oldham. Founder Philip Bruns retired in 2009. With 29 lawyers, Gibbs & Bruns is a dominant presence in Houston.

Kathy Patrick is nationally recognized for her securities litigation practice and was instrumental in obtaining the \$1.7 billion settlement for Huntsman. "She's very bright. She's very aggressive," says a client, who adds Patrick will "ramrod straight through to find where your weak point is, and she'll latch onto it. She'll beat you up." Robin Gibbs is noted for his role in the Huntsman case as well as his representation of Zachry Construction. A client observes, "Robin is a very experienced litigator. I think he brought an attitude that just matched very well with the Texas jury we had. He came across as very believable."

The Huntsman case was under

nationwide scrutiny for being one of the first times private equity firms and banks were taken to court to honor their agreement. Under their agreement, Credit Suisse and Deutsche Bank had committed to finance Huntsman and Hexion Specialty Chemicals' \$15 billion merger. The banks refused to do so once it was determined the merger would allegedly result in an insolvent company. The court ruled in favor of Huntsman, and afterward Gibbs & Bruns sued the banks alleging fraud, fraudulent inducement, and tortious interference with the merger as well as toward an earlier agreement. After one week of testimony, the case reached one of the largest settlements ever reached in a litigated merger.

#### McKool Smith

McKool Smith is solely dedicated to trying bankruptcy, business, white collar, and intellectual property cases. Its IP practice has had some significant victories in recent years, including about \$400 million in two patent infringement cases against Microsoft. The firm filed a third against the company this year. Its inclusion in many publications is "long overdue – very good firm," says a competitor. "Those lawyers, I've nothing but the highest regard for," adds another. Seasoned patent litigator Gary Kitchen left this year to launch his own practice, and two bankruptcy litigators have joined the firm's Houston office. Lauded by peers, Mike McKool handles various matters for clients in the energy, airline, investment banking, and telecommunication industries. He represents BTG International in a patent infringement dispute involving products made for laptops, cameras, and MP3 players. The firm has already filed plaintiff claims against Dell, Apple, and Samsung for the case.

#### Susman Godfrey

Founded in 1980, Susman Godfrey is noted for aggressively tackling high-stakes commercial disputes. The firm put itself on the map when its first case secured one of the highest antitrust jury verdicts ever obtained. Its 88 lawyers prosecute and defend cases, and often are recruited by former adversaries or by clients to fix fledgling cases. "Absolutely excellent lawyers," says a competitor.

Stephen Susman and H Lee Godfrey are nationally recognized for their prowess in the courtroom. "Steve Susman is a very prominent antitrust lawyer," says a competitor. Peers commend Kenneth Marks for his securities practice, describing him as "extraordinary" in forming arguments that are "the keenest I have ever seen."

"Sometimes there are lawyers that work behind the scenes, and Kenny is a master strategist in that way," says a competitor. "He's incredibly insightful." Neal Manne is widely regarded as a leading commercial litigator. "He's a very, very fine lawyer," says a peer.

The firm successfully represented Ashford, a junior lender and holder of \$164 million of debt in an overall loan of \$7.4 billion, against financial institutions such as Wachovia, Bank of America, and Merrill Lynch in a matter of days. Senior lenders had colluded with the borrower to restructure the loan at the expense of about \$1.1 billion in debt held by Ashford and other lenders. The firm obtained a temporary restraining order against the action and successfully defended the TRO in court. The banks abandoned their restructuring efforts and subsequently opened negotiations with Ashford.

#### Vinson & Elkins

Formed in 1917 in Houston, Vinson & Elkins for years has dominated in litigation related to the energy markets. The firm has offices in the energy hubs of Austin, Dallas, and Houston. Clients including power plant operators, oil field service companies, and landowners call upon the firm's extensive technical and business knowledge to handle their disputes. The firm also handles a wide breadth of cases including appellate, antitrust, construction, and insurance litigation.

James Reeder, Jr, has vast experience in antitrust disputes involving the aviation, energy, and health care industries. A peer calls him "one of the most able cross-examiners I've ever seen. I've watched him just demolish a witness. He's really very, very good." Knox Nunnally is noted for his diverse practice, handling casework that includes mass tort, product liability, and business litigation expertise. "Just a terrific trial lawyer," a competitor notes. William Dawson has been lead counsel in patent infringement and technology licensing disputes. He handles energy industry lawsuits, securities litigation, and white-collar criminal matters. Robert Schick is noted for his work in product liability, mass tort, and environmental disputes.

The firm represented Monitronics International in a patent infringement case in which plaintiffs sought, among other things, 5 percent of Monitronics' monitoring revenue for allegedly using its patented invention in its alarm monitoring activities. The case delved into the novel issue of whether a company that did not make or sell the accused device was infringing on a patent by using this device. In 2009, the

court of the Eastern District of Texas dismissed Monitronics from the suit due to the plaintiffs' inability to prove that an infringement occurred.

#### Recommended firms

##### Andrews Kurth

More than 100 litigators at Andrews Kurth handle a myriad of cases involving energy, oil and gas, and health care. Its oil and gas practice has been around for more than a century, serving energy services companies, financial institutions, and transportation and pipeline companies. Established in 1902, the firm's Houston office was the firm's first and has grown to roughly 220 lawyers. The firm also has offices in Austin, Dallas, Washington, DC, New York, and London. Richard Caldwell is noted for his diverse litigation practice. His cases have involved construction law, fraud, insurance coverage, product liability, and class actions.

##### Bracewell & Giuliani

Founded in 1945, Bracewell & Giuliani handles various litigation matters including energy, labor and employment, and white-collar criminal defense. Based in Houston, the firm has offices throughout the US and international financial centers such as London and Dubai. It recently opened a Seattle office. With about 40 years of trial experience, Cliff Gunter is recognized for his work in internal investigations. He has tried cases involving breach of contract, pricing disputes relating to the energy industry, and class actions involving shareholder securities fraud claims. Glenn Ballard, Jr, concentrates on intellectual property, banking, real estate, and energy matters. Stephen Crain focuses on internal investigations and has represented power developers and suppliers to the energy industry as well as public companies in securities disputes.

##### Haynes & Boone

Haynes & Boone is one of the largest firms in the country and is especially noted for its Latin American presence. "Very good firm," says a competitor. "We know them well." Formed in 1964 in Dallas, the firm has become one of the largest in the country, with additional offices in Austin, Fort Worth, Houston, California, and Mexico City. The firm has hired more than 30 lawyers in the past year, largely outside of Texas, focusing on its New York and California offices. David Fleischer, formerly of Paul Hastings, joined Haynes & Boone's New York office this year, and former

assistant US attorney Ryan McConnell became of counsel in Houston. About 550 lawyers provide a wide breadth of litigation services.

The firm's pro bono team recently won a new trial for two indigent Mexican nationals convicted of murdering a convenience store clerk in 1996 in Littlefield, Texas. The firm asserts no evidence linked the two men to the murders and were convicted based on a false testimony. The men have spent the last 11 years in prison.

Described by a peer as a "good guy, good lawyer," George Bramblett, Jr, handles business torts and securities matters. A former attorney for the Antitrust Division of the Department of Justice, Barry McNeil has more than 35 years of experience. He prosecutes and defends cases involving fraud, conspiracy, fiduciary duty, and RICO claims.

#### Jones Day

Established in 1893 in Cleveland, Jones Day made a name for itself with prominent clients like John D Rockefeller. Its Dallas office opened in 1981 and now has more than 200 lawyers, making it one of the largest offices in the city. Formed in 2001, the firm's Houston office has about 60 attorneys. Jones Day's strengths include

Austin office opened in 2008. For years the firm has worked with Latin American businesses and also has developed a strong presence there.

The firm's international arbitration practice earns much praise, with R Doak Bishop recognized as a leader in the field. "Doak has done a great job building up that practice," says a competitor. "He's obviously very good with clients, and he's built up a very good practice." Another says, "They know their stuff." Tracie Renfroe is noted for her work in representing petrochemical, energy, and manufacturing clients. "She is very able, very direct," says a competitor. "Judges like Tracie a lot because she comes across as a good old girl, but she is wicked smart."

#### Locke Lord Bissell & Liddell

Locke Lord Bissell & Liddell emerged from a merger between the Texas firm of Locke Liddell & Sapp and Chicago's Lord Bissell & Brook in 2007. Its roots in Houston date back to the early 1900s, and the firm's additional locations in the state are in Austin and Dallas. The firm's strengths include energy, regulatory, and appellate litigation. Paul Coggins, a former US attorney for the Northern District of Texas, joined the Dallas office this year to lead the white collar

He has tried more than 90 civil and criminal jury trials. Jeffrey Tillotson is recognized for his expertise in multiparty litigation, representing some of the largest consumer finance companies, credit card issuers, and banks in the US.

#### Mayer Brown

Mayer Brown's Houston office opened in 1982 to focus on the oil and gas industry. The firm is also recognized for its environmental, intellectual property, and securities litigation practice. William Knull III handles disputes involving oil and gas, securities fraud, lending practices, breaches of fiduciary duty, and employee fraud. His extensive international arbitration experience has included resolving multibillion-dollar disputes in Middle Eastern, Chinese, and Central Asian oil and gas projects. Knull was lead counsel for various governmental entities of Turkmenistan for multibillion-dollar claims arising out of oil and gas ventures there.

#### Reynolds Frizzell Black Doyle Allen & Oldham

Reynolds Frizzell Black Doyle Allen & Oldham was formed in late 2009 by six partners from the esteemed Texas firm Gibbs & Bruns. Though the firm is quite new, competitors recommend the firm on the strength of founders Chris Reynolds and Jean Frizzell. "They're awesome," says a peer. "They're fantastic lawyers." Several partners worked on the team that represented Huntsman Corporation against Credit Suisse and Deutsche Bank in connection with the company's failed merger with Hexion. Huntsman secured a \$1.7 billion settlement – \$632 million in cash and \$1.1 billion in notes and bonds. Reynolds handles intellectual property matters involving securities fraud, copyright infringement, and antitrust violations. "Chris Reynolds is unbelievably smart, one of the smartest people I've ever had the pleasure of knowing, very ethical," says a competitor. Frizzell is recognized for his commercial and business litigation practice, and was a key member in the Huntsman case. "He is phenomenal in the courtroom," says a competitor. "Jean's had a number of great results in cases." Another adds, "Jean Frizzell is an amazing cross-examiner. He is fearless and ruthless in his cross examination of witnesses. I've seen him break more than one. He is very, very gifted." A client further elaborates, "In his depositions, he would take the person apart without the person knowing they'd been taken apart. I was very impressed with how he conducted himself."

**“A [Reynolds Frizzell Black Doyle Allen & Oldham] client further elaborates, ‘In his depositions, [Jean Frizzell] would take the person apart without the person knowing they’d been taken apart. I was very impressed with how he conducted himself.’”**

intellectual property, commercial litigation, criminal investigations, securities litigation, labor and employment and toxic tort matters.

Sydney McDole has a diverse litigation practice and has handled matters involving insurance coverage, product liability, financial institutions, and oil and gas. "She's probably one of the best in the Dallas area," says a peer. Thomas Jackson is noted for his expertise in securities, intellectual property, and antitrust disputes. He has represented Dell, Texas Instruments, and Nokia in various matters.

#### King & Spalding

The Atlanta firm of King & Spalding has a formidable presence in Texas, with leading practices in energy, international arbitration, and liquefied natural gas. Established in 1995, the firm's Houston office has more than 100 attorneys. Its

practice.

Jerry Clements has 27 years of litigation experience handling matters involving insurance coverage, oil and gas, employment, and trade secret litigation. Michael Sutton is noted for his intellectual property practice, having counseled corporations such as Baker Hughes, ION Geophysical, and National Oilwell Varco. Michael Powell has significant experience in litigation and appellate matters. He has handled aviation, product liability, insurance, and contract disputes.

#### Lynn Tillotson Pinker & Cox

Headquartered in Dallas, Lynn Tillotson Pinker & Cox is a litigation boutique known for aggressively defending corporations in prominent disputes. Founder Michael Lynn is considered a preeminent litigator in the state, having won more than \$300 million for clients.

**Smyser Kaplan & Veselka**

Based in Houston, Smyser Kaplan & Veselka prosecutes and defends clients in significant commercial cases worth millions of dollars. The boutique litigation firm emphasizes on intellectual property and securities matters. The firm this year successfully represented the City of Houston before the US Supreme Court in a freedom of speech case that determined the constitutionality of the city's sign code. The Court affirmed the lower courts' decision declaring the code constitutional. Craig Smyser handles commercial and personal injury cases, including matters of intellectual property, employment, and securities fraud class actions. Lee Kaplan has a diverse practice that covers oil and gas, intellectual property, antitrust, and insurance coverage disputes.

**Sutherland Asbill & Brennan**

Founded 1924, Sutherland Asbill & Brennan handles education, real estate, insurance and reinsurance, and antitrust disputes. Rachel Giesber Clingman is noted for her commercial, transportation, and energy practice. Steven Roberts litigates energy, maritime, and commercial matters. The firm represents Advance America, Cash Advance Centers, one of the nation's largest consumer finance companies, in class actions alleging usury, deceptive trade practice, and violations of the Fair Credit Reporting Act. Cases have been filed across the country, including in Virginia, Florida, California, and Missouri.

**Thompson & Knight**

Founded in 1887 in Dallas, Thompson & Knight is noted for its energy litigation practice. The firm also handles matters involving labor and employment, intellectual property, real estate, and oil and gas. Richard Roper, a former US attorney for the Northern District of Texas, recently joined the firm and was appointed as the receiver by the SEC in a \$120 million Ponzi scheme. The firm represents the BNSF Railway Company in more than 200 lawsuits filed by the residents of Somerville, Texas, alleging the town was exposed to toxic substances from a formerly BNSF-operated railroad tie treatment facility. Gregory Huffman is noted for his work in antitrust, criminal investigations, and commercial litigation.

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Quote

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# AJAMIE LLP

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Fax: 713-860-1699  
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Ajamie LLP is a litigation boutique founded on the belief that the pursuit of excellence is integral to the practice of law. The firm's lawyers are all seasoned litigators with first-chair trial experience. We have secured landmark awards and settlements, and have amassed an impressive record of positive outcomes – winning critical victories and over \$600 million in settlements and awards.

We advise in a wide range of litigation-related practice areas, including complex business litigation, antitrust and competition law, white-collar crime, employment litigation, and international litigation and arbitration. Our firm has built a solid reputation for rendering blue-chip defense for companies of all sizes, and for providing cross-border representation in the most intricate of business litigation matters. We are lean and efficient, with the expertise and resources to represent clients worldwide – without hidden conflicts of interest.

Recognized as an elite go-to firm in securities litigation, the firm has successfully handled a number of high-profile cases, including representing companies, pension funds and shareholders seeking to recover losses in stock fraud cases, and corporations and officers and directors being sued in securities matters. Thomas Ajamie, Managing Partner, holds the distinction of winning the first- and third-largest securities arbitration awards ever handed down by the New York Stock Exchange.

The firm's successes in the last year include winning a \$112 million judgment on a civil RICO Act claim on behalf of our *Fortune 100* client. Following a two and half week trial, the jury found that the defendant committed the RICO predicate act offenses of extortion, wire fraud, and witness tampering. The jury's verdict, after trebling, resulted in the largest RICO award in Texas history, and the third largest in the history of the United States.

Also in the past year we recovered a multimillion-dollar "clawback" for another *Fortune 100* client in a case where the client's executive employees were hired away by a competitor. The departing executives had signed agreements in which they promised to pay back restricted stock and stock option awards that they received if they went to work for a competitor.

Litigation experience combined with strong business acumen leaves our lawyers uniquely qualified to advise our corporate clients in conducting sensitive internal investigations. The firm has recently led a number of such investigations for our clients.

We understand that, to be a true business partner with its clients, a law firm must provide more than just legal advice. We pride ourselves in thoroughly understanding the organizational and business objectives of our clients in order to build relationships that enable us to swiftly and successfully respond to their needs.

## THOMAS R AJAMIE



### AJAMIE LLP

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Thomas R Ajamie has successfully represented clients in complex commercial litigation, arbitration, groundbreaking securities and financial cases, international litigation, business contract disputes and employment issues. Mr. Ajamie is the co-author of *Financial Serial Killers: Inside the World of Wall Street Money Hustlers, Swindlers, and Con Men*, a look at financial fraudsters, their schemes, and their victims. He has appeared on ABC, CNN, FOX, CNBC, NPR and BBC, and has been featured in *The Wall Street Journal*, *The New York Times*, *American Lawyer*, *InvestmentNews*, *Bloomberg* and *Forbes*.

### Representative Matters

- Won a \$112,119,005 judgment after a three-week jury trial in a case brought under civil RICO against defendants who conspired to extort money from our corporate client and tamper with trial witnesses.
- Recovered a multi-million dollar "clawback" for our *Fortune 100* client in a case where the client's executive employees were hired away by a competitor. The departing executives had signed agreements in which they promised to pay back restricted stock and stock option awards that they received if they went to work for a competitor.
- Conducted several internal investigations for a *Fortune 100* company.
- Won a \$14.5 million arbitration award against Prudential Equity Group. *The Wall Street Journal* stated that this award was the third largest award ever handed down by the New York Stock Exchange.
- Settled a lawsuit against two insurance agents, six insurance companies and a law firm for \$7.29 million after four days of trial in Galveston state court.
- Won a \$429.5 million arbitration award against a former PaineWebber broker. *The Wall Street Journal* noted that the size of the award was the largest in United States history.
- Won an eight-figure settlement on behalf of several investors defrauded of over \$100 million by one of the United States' largest national brokerage firms.
- Represented an Illinois-based utility company in litigation against distressed bondholders seeking recovery following an \$80 million bond default for an electric power facility located outside of Chicago.
- Won a dismissal of all claims against a major utility company in connection with the Panhandle interstate gas pipeline system in an antitrust lawsuit alleging conspiracy to monopolize, tying and a group boycott.
- Won the dismissal of 21 consolidated class action lawsuits filed in federal court against former officers of a NYSE-listed client alleging violations of Sections 10(b) and 20(a) of the Securities Exchange Act of 1934, and Rule 10b-5.

### Distinctions

Rated AV-Preeminent by Martindale-Hubbell for Ethical Standards and Legal Ability

Texas Super Lawyer (*Texas Super Lawyers* and *Texas Monthly*, 2006-2010)

500 Leading Lawyers in America (*Lawdragon*, 2008-2010)

Top 100 Lawyers You Need to Know in Securities Litigation (*Lawdragon*, 2008)



**RACHEL GIESBER CLINGMAN****SUTHERLAND ASBILL & BRENNAN LLP**

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Rachel Clingman, Partner-in-Charge of Sutherland's Houston office, is a nationally recognized adviser to energy and transportation companies, known for her experience in complex litigation, crisis mitigation and related institutional issues.

She has counseled executives and boards on how to deal with crises involving billions of dollars of exposure and potential criminal consequences. She also has tried numerous cases to jury verdict and has handled litigation in 20 states. Regular clients include energy, chemical and transportation companies involved in complex litigation and/or government investigations. Rachel also has been honored regionally and nationally for legal excellence and civic contributions.

Rachel is currently representing Transocean Deepwater Drilling Inc. in its response to litigation related to the BP oil spill in the Gulf of Mexico, which included testifying before Congress on behalf of the company. Rachel's other complex crisis management and litigation work includes offshore claims and litigation arising from hurricanes Katrina, Rita and Ike. She defended a \$70 million claim for loss of production income and property damage arising from hurricane-related damage to production platforms and pursued a \$100 million subrogation claim for property damage following the loss of a jack up drilling rig and damage to offshore petroleum pipelines. Rachel also defended a university's \$300 million insurance claim related to rising waters damage under a fine arts insurance policy.

Rachel received her bachelor of arts from Rice University in 1989 before earning her juris doctor with honors from the University of Texas School of Law in 1992. She was an Associate Editor of the *Texas Law Review* and an officer of the Board of Advocates.

Since 2008, Rachel has been recognized by *Chambers USA: Guide to Leading Business Lawyers* in the area of transportation law. In 2010, *Benchmark Litigation* recognized Rachel for Texas litigation. Rachel is a member of the American Board of Trial Advocates and a Fellow of the Litigation Counsel of America.

Rachel's other honors include recognition as one of 25 "Extraordinary Women in the Law" by *Texas Lawyer* in 2008; recognition as one of the "Top 5 Women in Energy" by *Energy Law360* in 2007; and selection as just one of 113 lawyers in the country honored with BTI Consulting Group's 2007 Client Service Award for delivering unsurpassed client service.

Rachel serves on the board of the Houston Chapter of the Texas General Counsel Forum and is an active supporter of the American Corporate Counsel Association. She has served on the Board of Directors at the Houston Area Women's Center since 2007 and co-chaired the 2010 annual benefit. She co-founded the Legal Advisory Board for Children at Risk and was a member of the Advisory Board for the World Oil Women's Global Leadership Conference in Energy and Technology from 2005-2009. Rachel is a past president of the Women's Energy Network of Houston and former Director of the Houston Downtown Alliance.

**STEVEN L ROBERTS****SUTHERLAND ASBILL & BRENNAN LLP**

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Steven Roberts, a member of Sutherland's Litigation Practice Group and a member of the firm's national Energy and Environmental Litigation Practice Group, has more than 30 years of courtroom experience in energy, commercial, maritime and professional services litigation.

He has tried to verdict numerous complex insurance coverage disputes impacting the energy sector and underwriting industry. He represents both plaintiffs and defendants in significant commercial controversies and subrogation matters. His clients include national and international underwriters and insurance companies.

Examples of matters which Steven has handled include coverage disputes involving capsized drilling rigs, business interruption disputes following damage to offshore production facilities, property damage and coverage disputes stemming from volcanic eruption, and multiple death and environmental contamination litigation following a well blowout.

Steven graduated *summa cum laude* from Sam Houston State University in 1975 before earning his juris doctor from the University of Houston Law Center in 1977. Before receiving his undergraduate degree, Steven served as a Communications Specialist in the Submarine Service of the US Navy. After completing active duty, he served in the Reserves until 1977. While in college, Steven worked as a correctional officer for the Texas Department of Criminal Justice.

In 2010, Steven was recognized by *Chambers USA: Guide to Leading Business Lawyers* in the area of insurance law. Also in 2010, he was named in *Benchmark Litigation* as a Texas Local Litigation Star. Steven is the former Editor of *Longshore Newsletter* and former Co-Editor of the Longshore Section at *Maritime Adviser's Maritime Personal Injury Report*.

His extensive professional involvement includes memberships in the following: American Bar Association, State Bar of Texas, Houston Bar Association, College of the State Bar of Texas, Texas Association of Defense Counsel, Maritime Law Association of the United States, and Southeastern Admiralty Law Institute. Additionally, he is a former member of the Admiralty and Maritime Committee Personal Injury Committee of the Maritime Law Association of the United States.

Steven's professional involvement is balanced by significant community involvement. He is a member of the Board of Directors and the initial chairman and co-founder of Archway Academy, a non-profit high school serving students in drug and alcohol recovery. He is also a member of the Board of Directors of Technology for ALL, a non-profit organization devoted to computer literacy training for underprivileged adults and children.

# Vinson & Elkins

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Individuals and companies turn to our deep bench of exceptional litigators to handle their most complex, high-stakes disputes and investigations. With 296 litigation lawyers in 14 offices across the globe, we mobilize teams to handle matters in any forum in the US, and courts and major arbitral centers throughout the world. Whether a matter involves the boardroom, the well head, the research lab, or a venture in a remote part of the world, our in-depth knowledge of the industries we serve and the skill demonstrated by our successful track record before juries, judges, arbitrators, and enforcement agencies enable us to execute effective strategies to achieve our clients' objectives.

**Substantive Practice Areas:** Antitrust, Appellate, Bankruptcy, Construction, Disaster Response, Eminent Domain, Energy Litigation, Environmental Litigation, Government Contracts, Government Investigations/White-Collar, Intellectual Property, International Dispute Resolution, Labor and Employment, Mass Tort, Professional Liability, Securities Litigation and Enforcement, and other Complex Commercial Litigation

**Businesses Served Include:** Energy, Petrochemical, Engineering, Procurement, and Construction, Government Contractors, Investment Banking and Other Financial Services, Accounting, Private Equity, Hedge Funds, Legal, Health Care, Insurance, Life Sciences, High Technology, Airline, and Real Estate

**Recognition:**

- Seven of our litigators are Fellows of the American College of Trial Lawyers
- *2010 Chambers USA: America's Leading Lawyers for Business* ranks Vinson & Elkins' Antitrust; Appellate; Bankruptcy and Restructuring; Energy: Electricity: Regulatory and Litigation; Energy: Oil and Gas: Regulatory and Litigation; Environment; General Commercial; Government Contracts; Intellectual Property; and Labor and Employment practices
- *2010 GAR (Global Arbitration Review) 100* lists Vinson & Elkins as one of the top firms in the United States with International Arbitration capabilities
- *The Legal 500 U.S. 2010* recognizes Vinson & Elkins in 11 practice areas, including Energy Litigation, Environmental Litigation, Supreme Court and Appellate, Patent Litigation, and Construction Litigation
- *The Best Lawyers in America 2011* lists 21 Vinson & Elkins lawyers for Commercial Litigation, six for Bet-the-Company Litigation, and four for International Arbitration (more than any other firm in the country)

**Vinson & Elkins LLP**  
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