

## Commercial Litigation

We are aggressive litigators who handle large and complex commercial disputes, including successful "bet-the-company" cases. Representing defendants, we have persuaded juries to deny multi-million dollar plaintiff claims. Representing plaintiffs, we have obtained multi-million dollar jury verdicts, including substantial punitive damage awards. We handle cases involving contract disputes, securities claims, structured finance cases, business torts, oil and gas disputes, fiduciary claims, deceptive trade practice claims, tax disputes, RICO claims, real estate disputes, foreclosure matters, equitable actions, professional malpractice claims (legal, medical, engineering, and accounting), insurance claims and coverage disputes, labor and employment matters, white collar crime, environmental disputes, and class actions.

We pride ourselves in having a strong group of seasoned trial lawyers who can handle any trial, hearing or deposition. Our litigation practice pits us against other top Texas litigation firms. We have a strong record of success. We are unique because (1) we handle large commercial cases and large personal injury cases, (2) we represent both plaintiffs and defendants, and (3) we are willing to handle cases on a contingent fee basis.

We enjoy aggressive litigation, but we also realize that litigation is expensive and time-consuming. We are mindful of attorney fee costs. As a case progresses, we keep our clients fully informed of all settlement possibilities, our opinion of the chances at trial and the expected future litigation costs.

Our attorneys combine strong academic credentials with experience that comes only from an active trial practice. A number of our attorneys clerked with the Texas Supreme Court, the Fifth Circuit Court of Appeals, and Texas federal district courts. Our lawyers are frequent speakers at continuing legal education seminars and author many legal articles. Several of our attorneys teach part-time at the University of Texas School of Law.

## Business Litigation

---

### LAWYERS PRACTICING IN THIS AREA:

- Santosh Aravind
- Anthony Arguijo
- James D. Baskin
- Daniel C. Bitting
- Steve Britt
- Kim Gustafson Bueno
- Mary Byars
- Sara Wilder Clark
- Willie Cochran
- Aaron M. Collins
- Amy Lee Dashiell
- Casey Dobson
- Ray Donley
- John W. Ellis
- John Gasink
- Asher B. Griffin
- Eric Hagenswold
- Robyn Bigelow Hargrove
- Sameer Hashmi
- John Hicks
- Stephanie Kover
- Abe Kuczaj
- Bryan Lauer
- Stephen E. McConnico
- Michael Merriman
- Curtis J. Osterloh
- Cindy Saiter
- David Shank
- Christopher D. Sileo

Our litigation practice includes representation of large and medium-sized companies in a variety of business disputes involving contract and tort claims. Examples include:

- representation of plaintiffs and defendants in various complex commercial litigation and arbitrations involving disputes over corporate acquisitions, technology and intellectual property issues, rights of first refusal and other contractual and property rights issues;
- representation of the State of Utah in litigation with the federal government that resulted in the largest land-exchange in the continental United States since the Louisiana Purchase;
- representation of former officers and directors of various insolvent corporations and financial institutions in lawsuits brought by those entities' receivers;
- representation of special receivers for the Texas Department of Insurance in claims arising out of insolvent insurance companies;
- representation of a patent holder in litigation and arbitration involving intellectual property issues;
- representation of insurance companies in litigation involving coverage disputes and bad faith allegations;
- representation of marine terminals in a number of lawsuits involving shipping, antitrust, pollution and riparian land title claims;
- representation of airlines and employers in class-action litigation;
- representation of plaintiffs and defendants in complex contract lawsuits and arbitrations involving long-term sales contracts and other types of contract disputes;
- representation of a plaintiff in a breach of fiduciary duty, fraud and civil conspiracy case against a hospital conglomerate involving the development and operation of a cancer treatment center; and
- representation of a large railroad in governmental regulatory matters and litigation over delayed product shipments.

- Ryan Squires
- Jane Webre
- Steve Wingard
- Kennon L. Wooten

### **Business Torts**

These cases often arise out of complex business and professional relationships and include claims based on fraud, negligent misrepresentation, breach of fiduciary duty, interference with existing and prospective business relationships, civil conspiracy, business disparagement, misappropriation of trade secrets, and other types of unfair competition.



Because business tort cases often involve complex fact scenarios, they require strong investigative and organizational skills. Because such cases involve complex legal theories, they require innovative and creative legal analysis. With our strong academic backgrounds and years of practical experience, our attorneys are well suited to meet these demands.

### **Fiduciary Litigation**

We defend and prosecute claims for breaches of fiduciary duty against trustees, executors, officers, directors, controlling shareholders, lawyers and other fiduciaries. We have handled these claims in a number of contexts, including will contests, guardianships, trust disputes, legal malpractice claims, stockholder litigation, family disputes and business litigation. Emotions often run high in these disputes and can make resolution challenging. We have the skill and expertise to litigate complex claims to a final judgment if necessary. But we also have the experience to navigate through what may be emotionally-charged settlement negotiations when a settlement is in our client's best interests.