



## Litigation

### Creative and Skilled Courtroom Advocates

Our litigation team has extensive experience in virtually every type of commercial dispute. We bring in-depth, industry-specific knowledge to every engagement and excel in finding effective solutions before, during and after trial. Our courtroom advocacy, creativity and grit are highly respected in the legal industry. In 2019, Bracewell was named Commercial Litigation Firm of the Year --> at the inaugural *Chambers USA Texas Awards*. *Texas Lawyer* named our team the Large Law Firm Litigation Department of the Year in 2017, and *Law360* named us in 2016 to its inaugural list of "litigation powerhouses," which ranked us as one of the top 50 litigation practices in the United States. *Law360* also identified us as part of an "elite group" of only five firms with fewer than 200 lawyers on its list of "litigation heavyweights."

Our litigators function as a litigation boutique within a multinational law firm, collaborating across practices and offices to find creative solutions to our clients' litigation needs. The results speak for themselves, as seen in our recent successes on behalf of **Apache**, **Equinor Wind**, **Hilcorp Energy**, **Kinder Morgan** and **Southern Copper**, to name but a few.

We represent large national and multinational corporations, mid-sized companies, small businesses and individuals in cases with impact outside the courtroom. This includes complex matters across a range of industries, such as construction, energy, finance, healthcare and real estate.

We represent defendants and plaintiffs in trials, appeals and other contested matters throughout the United States.

Our London-based disputes team handles matters in the courts of the United Kingdom. Our combined team routinely handles arbitrations throughout the world under all major arbitration regimes.

### Areas of Focus

- [Appellate Litigation](#)
- [Construction Litigation](#)
- [Energy Litigation](#)
- [Environmental Litigation](#)
- [Financial Institutions Litigation](#)
- [Healthcare Litigation](#)
- [Intellectual Property Litigation](#)
- [International Energy Disputes](#)
- [Securities Litigation](#)

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Our US-based government investigations specialists regularly appear before various federal departments and agencies, including, most commonly, the Department of Justice (DOJ), the Securities and Exchange Commission (SEC), and the Office of the Inspector General, as well as state investigatory and enforcement agencies.

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## Key Contacts



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## Experience

We have been involved in a range of high-profile matters throughout the United States and the world.

### Apache Corporation

- in a case against two Texas-based energy companies and a third from Oklahoma, alleging potential damages of more than \$1.1 billion relating to certain purchase and sale agreements, mineral leases and mutual interest agreements concerning properties located in four Texas counties in the Permian Basin
- in a case of first impression regarding royalty ownership and oil and gas co-tenancies

### BMC Software

- in winning a \$1.67 billion judgment for BMC in its long-running lawsuit against IBM for fraudulently inducing and then violating a software licensing agreement – 2022 Major Litigation of the Year, Magna Stella Awards

## **The Bank of New York Mellon Trust Company, N.A.**

- in the dismissal of all claims in several federal securities fraud lawsuits brought by unitholders of oil and gas royalty trusts against the client in its capacity as trustee

## **Battery Park City Authority**

- in a successful appeal related to the *In re World Trade Center Lower Manhattan Disaster Site* litigation

## **City of Irving, Texas**

- in the \$200+ million construction and development of the Toyota Music Factory venue, including outstanding construction disputes relating to completion of construction and the issuance of TIF reimbursement funds

## **Equinor Wind**

- in a successful defense against an injunction that successfully paved the way for commercial development in the company's offshore wind leasing program

## **Foro Energy**

- in a complete take-nothing defense judgment in a trade-secret showdown over a deployment wheel concept used for offshore oil and gas decommissioning work

## **Hilcorp Energy Company**

- in the dismissal of a class action royalty dispute involving natural gas production throughout the state of Texas

## **Manchester Financial Group/Hunt Construction Company**

- on construction matters on the \$300+ million Fairmont Convention Hotel—Austin

## **Kinder Morgan Texas Pipeline LLC, Kinder Morgan , Inc. and Permian Highway Pipeline LLC**

- in two related lawsuits filed in federal court in Austin, Texas, in the US District Court for the Western District of Texas seeking to delay and enjoin construction of the Permian Highway Pipeline through the Texas Hill Country

## **NEXUS Gas Transmission, LLC**

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- in the defense of FERC-certificated \$2 billion interstate natural gas pipeline against multiple environmental and Natural Gas Act challenges in the US Court of Appeals for the Sixth and DC Circuits

## **NH Hotel Group, S.A.**

- in an action brought under the Helms-Burton Act, which allows a private right of action against entities that traffic in property expropriated by the Fidel Castro regime in the late 1950s

## **Pier 1 Imports, Inc.**

- in defending the company and its former CEO and CFO in a putative class action asserting claims of securities fraud — [2019 Business Litigation of the Year, Dallas-Fort Worth Outstanding Corporate Counsel Awards](#)

## **Southern Copper Corporation**

- and certain members of its board of directors in a shareholder derivative class action complaint asserting alleged breach of contract and alleged breach of fiduciary duties

## **Valero Energy Corporation**

- in cases in the DC Circuit Court of Appeals and in the Northern District of Texas challenging US EPA rules implementing the Renewable Fuels Standard (RFS)

## **Wawasan Agrolipids SDN BHD**

- in favorably resolving cases filed by distributors of products in the United States, alleging that the clients conspired with each other and the other defendants to improperly usurp business opportunities, acquire their customers and obtain their trade secrets

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## **Recognition**

Our litigation practices rank among the best in independent legal directories, such as *Chambers* and *Legal 500*.

### **Chambers USA**

- Nationwide Oil & Gas Litigation
- Texas Appellate Litigation
- Texas General Commercial Litigation (Houston & Surrounds)
- Texas Securities Litigation

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## **Legal 500 UK**

- London Commercial Litigation
- London International Arbitration

## **Legal 500 US**

- Appellate
- Energy Litigation: Electric Power
- Energy Litigation: Oil and Gas
- Environment Litigation
- General Commercial Disputes
- Real Estate Construction (including Litigation)
- Securities Litigation Defense

## **US News – Best Lawyers Best Law Firms**

- Nationwide Appellate (Tier 1)
- Nationwide Commercial Litigation (Tier 1)
- Nationwide Environmental Litigation (Tier 1)
- Austin Bet-the-Company Litigation
- Austin Commercial Litigation
- Austin Banking & Finance Litigation
- Austin Construction Litigation
- Austin Environmental Litigation
- Austin Regulatory Enforcement Litigation (Tier 1)
- Dallas/Fort Worth Commercial Litigation
- Houston Appellate
- Houston Bet-the Company Litigation
- Houston Commercial Litigation (Tier 1)
- Houston Labor & Employment Litigation (Tier 1)
- Houston Patent Litigation
- Houston Securities Litigation
- New York Appellate
- New York Bet-the-Company Litigation

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- New York Commercial Litigation
- San Antonio Bet-the-Company Litigation (Tier 1)
- San Antonio Commercial Litigation (Tier 1)
- San Antonio Labor & Employment Litigation (Tier 1)
- Seattle Intellectual Property Litigation
- Washington, DC Bet-the-Company Litigation
- Washington, DC Commercial Litigation
- Washington, DC Environmental Litigation (Tier 1)
- Washington, DC Regulatory Enforcement Litigation
- Washington, DC Securities Litigation