

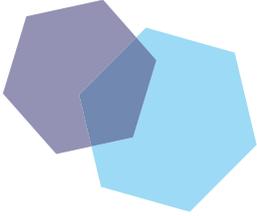
LITIGATION

BRACEWELL

Litigation

Bracewell has one of the nation's leading litigation practices. For over 70 years our lawyers have been handling almost every type of commercial dispute, earning the respect of both judges and our adversaries. We have built our reputation on winning our clients' toughest and most significant litigation, although we also excel at handling their small and medium-sized matters.

Our outstanding courtroom advocacy, creative thinking, and grit continue to receive extraordinary recognition. *Chambers USA* (2016) remarked on our "creative approaches to disputes." *Legal 500* (2016) called us a "litigation powerhouse," noting our "broad range of high-value disputes". *Law360* (2016) likewise recognized our leading litigation practice, naming us to its inaugural list of Litigation Powerhouses, which identified the top fifty litigation practices in the nation. *Law360* (2016) further highlighted Bracewell as being part of an "elite group" of only five firms with fewer than 200 litigation attorneys included on its list of "litigation heavyweights."



“The firm is excellent. They add value because of their knowledge of the oil industry.”

— Chambers USA (2016)

Our recent notable matters include advising on the following:

GDF Suez Energy North America

Participants in the U.S. energy futures derivatives market alleged that our client GDF Suez used its bidding strategy to manipulate the market, causing them to suffer tens of millions of dollars in damages. Bracewell conducted an aggressive defense of GDF, developing a comprehensive motion to dismiss that the district court granted in full.

Eni S.p.A.

Bracewell defeated entirely a \$6.4 billion claim against our client Eni for the value of an oil and gas concession off the coast of West Africa.

Vopak Terminal Deer Park

Vertical, a Brazilian ethanol trading company, asserted claims for breach of contract and fraud against our client Vopak and sought damages of \$30 million plus punitives and attorney’s fees. Following dramatic revelations obtained by Bracewell from Vertical’s own witnesses and documents, Bracewell obtained the complete dismissal of the case one week before trial.

Layline Petroleum

Our client Layline Petroleum sold oil and gas interests to Wapiti Oil & Gas for \$375 million; a dispute arose over the post-closing purchase price adjustment. In arbitration we prevailed on our opponent’s claim for a downward reduction, and in fact achieved an upward increase.

ASARCO LLC

Sterlite agreed to buy ASARCO’s assets out of bankruptcy and reneged. We went to trial, established that Sterlite breached, and obtained a \$132.75 MM damage award.

Waste Management, Inc.

In one of the largest environmental enforcement cases ever tried, Bracewell represented two Waste Management entities against civil penalty claims brought by Harris County, Texas and the State of Texas for more than \$5 billion arising from the alleged pollution of the San Jacinto River. Bracewell first secured complete dismissal of the claims against the parent company, Waste Management, Inc., on summary judgment before trial. Bracewell then represented Waste Management of Texas as co-counsel in the ensuing five-week trial. Immediately before closing arguments, the government settled with Waste Management of Texas for less than 1% of the amount of penalty it had requested during trial. Texas Lawbook called the trial “one of the greatest defense verdicts in Texas history.”

BG Americas & Global LNG

In two related arbitrations, we established BG’s right not to pay for unused midstream transportation capacity, and the obligation of the operator to market all hydrocarbons produced.

Mueller Chen & Co.

Energy investment bank Mueller Chen & Co. represented Hong Kong-based United Energy Group in its acquisition of BP’s oil and gas assets in Pakistan for around \$800 million. IEVM claimed it was owed a \$46.5 million success fee following the acquisition. We obtained the dismissal of all claims against our client Mueller Chen & Co., a victory which was affirmed by the 5th Circuit Court of Appeals.

Apache Corporation

Bracewell represented Apache in this energy sector lawsuit. The plaintiffs were landowners who leased their land for oil and gas production to exploration companies, including Apache. The plaintiffs claimed their land was contaminated by NORMs (naturally occurring radioactive materials) that were deposited in surface soils during oil and gas operations on the site dating back to the 1950s and earlier. Bracewell won summary judgment shortly before trial gutting plaintiffs’ damage model, and then obtained final judgment in favor of Apache.

MS Financial, Inc.

Our client MS Financial, a bank holding company, was sued by its shareholders alleging fraud and breach of fiduciary duty arising from the sale of the assets of one of its banks to a group of insiders. After we convinced the court to dismiss the core claims, the plaintiffs settled the remaining claims.

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