



Brian D. Melton

Partner

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Overview

Brian Melton is a nationally recognized lead trial lawyer who regularly tries and wins bet-the-company cases for both plaintiffs and defendants. He sits on the Executive Committee at Susman Godfrey – the nation’s premier litigation boutique – and the only law firm where he has practiced since graduating second in his class from the University of Houston Law School and clerking for Federal District Court Judge Tom Stagg.

Melton has secured several momentous wins throughout his career and has established himself as trusted counsel and a sought-out trial lawyer for clients and colleagues alike. In fact, a streak of three trial wins in an 18-month period led the *National Law Journal* to name him a “[Winning Litigator](#)” in 2017.

LANDMARK WINS

Melton’s landmark victory for Beats headphone designer, Steven Lamar, in a nationally followed breach of contract lawsuit against Dr. Dre, Jimmy Iovine and Beats Electronics over the design of the now iconic Beats headphones was covered from coast to coast, with outlets such as *New York Times*, *The Guardian*, *Billboard*, *Bloomberg*, *Hollywood Reporter*, *NY Daily News*, and the *San Diego Union Tribune*. Melton won a \$25.25 million jury verdict for Lamar in California federal court. Melton later spent time convincing the Judge to double the value of the judgment to \$52 million – at which point Apple settled the case for a confidential amount. *Law360* featured the story in their “[How They Won It](#)” series and *The Recorder* also ran a [feature story](#) on Melton and his significant role in this case.

Later that year, Melton won an injunction for pro bono client Team Fuerza, a local Hispanic soccer team, which was being railroaded out of the giant United Premier Soccer League. Melton got the team back in the league and received an apology from the UPSL President.

UNIQUE BACKGROUND

Notably, Melton is a West Point graduate, who served as an infantry officer, attaining the rank of captain. While serving his country, Melton commanded two platoons, and served as the aide-de-camp to the Commanding General of the Fourth Infantry Division. Melton graduated as the Honor Graduate of Ranger School, the Army's elite leadership training course.

Notable Representations

Representative Current Cases

- Represents Chevron in dozens of cases in Louisiana. The plaintiffs in these cases allege that Chevron is responsible for coastal erosion, decommissioning work, and potential contamination of the land from operations that occurred decades ago. Many of the cases involve Act 312 Limited Admission proceedings in front of the Louisiana Department of Natural Resources.
- Lead Counsel for Proxense in three cases against Apple, Google and Microsoft. Melton led the team against Google to achieve 100% favorable Markman rulings, and that case is set for trial in February 2025. The Microsoft case is pending in Washington federal court. The Apple case is pending in Judge Albright's Waco Federal Court. The technology at issue enables biometric authentication on mobile-pay applications, such as Google Pay and Apple Wallet.
- Lead counsel for MyPAQ in two patent infringement cases pending in Judge Albright's Waco Federal Court. MyPAQ accuses Samsung and Dell of infringing patents through the provision of its high-speed travel chargers.
- Represents Purdue University in two patent infringement cases – one against ST Microtechnology pending in Judge Albright's Waco Federal Court and one against Wolfspeed pending in the Middle District of North Carolina. Purdue alleges that ST Micro and Wolfspeed infringe Purdue's patents based on their use of MOSFET technology. The case against ST Micro went to trial in December 2023, and Purdue won a \$32 million jury verdict. The Waco Court is considering post-trial motions that could enhance the judgment with interest and a running royalty on future sales. The Wolfspeed case is set for trial in November 2024.
- Lead Counsel to the Houston Rockets in a breach of contract case pending in Harris County district court. The Rockets obtained a judgment against defendant ROKIT and is now pursuing collections against the judgment debtor in California bankruptcy court.
- Represents Identity Security in a patent infringement case pending in Judge Albright's Waco Federal Court. Identity Security accuses Apple of infringing its patents through its microprocessor security, known as the Secure Enclave that is included on all iPhone, iPad, Apple Watch and

Apple TV devices. Identity Security prevailed on all of Apple's summary judgment motions. The case will go to trial in September 2024.

Representative Past Cases

- **University of New Mexico v. D-Link (W.D. Tex.).** Settled a patent case for the University against D-Link following several favorable rulings on pretrial motions. The University accused D-Link of infringing patents related to the circuitry of D-Link's Wi-Fi routers.
- **University of Pittsburgh v. Cochlear (W.D. Tex.).** Settled a patent case for the University of Pittsburgh against Cochlear following favorable Markman rulings. The case was pending in Judge Albright's Waco Federal Court. The University accused Cochlear of infringing its patent by selling implantable medical devices.
- **VDA Solar v. Atlas Energy (Texas state court in Matagorda County).** Lead counsel for VDA Solar in a surface land dispute with Atlas Energy. Melton's renewable energy client attempting to build a solar panel electricity facility in Matagorda County to augment the Texas power grid. Atlas is the mineral interest lessee and has sued VDA Solar to hinder the project from going forward. The case was pending in Matagorda County in Judge Ben Hardin's Court. Melton convinced the Court to dismiss most of Atlas's claims on summary judgment. The case settled shortly after Atlas's claims were dismissed. Melton's client was successful in building the 1000+ acre solar farm project.
- **Proxense v. Samsung (W.D. Tex.).** Settled a patent case on the first day of trial against Samsung. Melton led a team that had achieved 100% favorable Markman rulings, defeated all of Samsung's summary judgment motions, and convinced Judge Albright to grant a plaintiff-side summary judgment in Proxense's favor. The technology at issue enabled biometric authentication on mobile-pay applications, such as Samsung Pay.
- **Kerr v. SPM (N.D. Tex.).** After receiving threatening letters from SPM alleging patent infringement, Melton led a team that instituted a declaratory judgment action against SPM, asking the Court to determine that SPM's patents were not valid and not infringed. Simultaneously, Kerr instituted IPRs with the PTAB seeking to invalidate the SPM patents. Through innovative discovery techniques, strong invalidity evidence was uncovered that led to a settlement on terms favorable to Kerr. The case was filed in Judge Reed O'Connor's Court in Fort Worth.
- **The Group Trust v. Allianz SE (S.D.N.Y.).** Settled, as lead counsel, several clients' individual claims for securities fraud against Allianz SE. Melton's clients collected 100% of their investment dollars in the settlements. The cases arose from the multi-billion dollar collapse of Allianz's Structured Alpha hedge funds in 2019.
- **Kerr Pumps v. Vulcan Industrial (W.D. Tex.).** Settled a string of patent cases for Kerr Pumps alleging patent infringement against Vulcan

Industrial. The infringement allegations were directed to the defendant's fluids ends that are used during high pressure frac jobs in the oil and gas industry.

- ***University of New Mexico v. Samsung and TSMC (W.D. Tex).*** Represented University of New Mexico alleging patent infringement against Taiwan Semiconductor Manufacturing Company and Samsung. The infringement allegations were directed to the defendant's FinFET, or Fin Field Effect Transistor, technology incorporated into its semiconductor chips. Each of these cases resulted in confidential settlements. In addition to these settlements, other companies paid for a license to the patents without the filing of additional lawsuits.
- ***Steven Lamar v. Dr. Dre, Beats and Jimmy Iovine (LA Sup. Ct.).*** Served as lead counsel to Steven Lamar in a breach of a written royalty agreement case against Beats, Dr. Dre and Jimmy Iovine. The case involved the design of the Beats headphones. Following a 3-week trial, the jury awarded Lamar \$25.25 million in past damages. The judgment was increased to include legal interest, attorney fees and an ongoing royalty on the Studio 3 headphone, resulting in another \$26 million, making the judgment value worth over \$50 million. Apple and Beats then settled the case on confidential terms. Melton was interviewed about this case and his leadership on it in legal publication *The Recorder's Beating Beats: A Q&A With the Susman Lawyer Behind the \$25M Verdict Against Dr. Dre and Jimmy Iovine*. [Read more](#).
- ***Texas Brine Sinkhole Case (Louisiana St. Ct.).*** Represented Texas Brine Corporation in a case resulting from the Bayou Corne sinkhole that formed in 2012. The case involved complex technical and environmental issues surrounding the collapse of a salt dome. Texas Brine settled with the plaintiff landowners on favorable terms, and then pursued and recovered huge amounts of the costs from other companies responsible for the collapse.
- ***Humble Surgical Hospital v. Cigna (S.D. Tex.).*** Won over \$19 million in a [judgment](#) for Houston-based Humble Surgical Hospital against Cigna. This was an ERISA lawsuit representing Humble Surgical Hospital against Cigna to recover for hundreds of surgeries performed on Cigna's insured patients. In Judge Hoyt's written opinion, the Court awarded 100% of Humble's actual damages, 100% of the requested attorney fees, a \$2.3 million ERISA penalty, prejudgment interest and costs. Additionally, Judge Hoyt ruled that Cigna take nothing in its claims against Humble. This case was closely watched by the medical community and was widely reported in the press. The case was vacated on appeal on legal grounds. [Click here](#) to view the *Law360* article and [click here](#) to view the *Texas Lawyer* article (subscriptions required).
- ***Dig Tech v. Star Operations (22nd Judicial Dist. Ct., Caldwell County).*** Tried and won a breach of contract lawsuit on behalf Austin-based Dig Tech against San Antonio-based Star Operations. Melton was

hired on the eve of trial to try this case. Following a 2-week jury trial, the 12-person, Caldwell County jury awarded Dig-Tech 100% of its breach of contract damages, plus attorney fees. The judgment was appealed, and Melton argued the appeal in Austin. The judgment was paid in full to Melton's client following an [appellate win](#). [Click to view references](#). [Click to view reference letter](#).

- ***GlobeRanger v. Software AG (Texas St. Ct.)***. In November 2014, Melton tried and won a theft of trade secret lawsuit on behalf of Dallas-based GlobeRanger Corporation against German-based Software AG alleging misappropriation of GlobeRanger's proprietary radio frequency identification (RFID) technology. The case had been pending for two years before Melton was hired on a contingency fee basis to take the case to trial. After a two-week trial in Judge Jane Boyle's Court in the Northern District of Texas, an eight person jury returned a \$15 million verdict. The Court entered a judgment worth over \$18 million, and Software AG bonded the judgment and appealed to the Fifth Circuit Court of Appeals. Following a win on appeal, the judgment was paid in full. [Click to view references](#).
- ***Global Sessions v. Wells Fargo, Bank of America, JP Morgan Chase, Comerica and TD Bank (W.D. Tex.)***. Settled five patent infringement lawsuits against these major banks on behalf of Global Sessions. Global Sessions infringement allegations were directed to these banks' online banking services. The Global Sessions patents relate to the maintenance of state for web pages, online content and services presented from multiple web engines. The settlement amounts are confidential.
- ***Click-to-Call Technologies v. eHarmony (W.D. Tex.)***. Settled a patent infringement lawsuit against eHarmony on behalf of Austin-based Click-to-Call Technologies (CTC). CTC's infringement allegations were directed to the eHarmony's customer-facing retail websites. CTC's patented technology relates to the popular features of retail websites that increase customer purchases and the customer's entire shopping experience. [Click to view references](#).
- **Environmental Litigation**. In Applications of Las Brisas Energy Center, LLC (Texas State Office of Administrative Hearings). Represented over 30 Texas cities challenging the construction of a \$3 billion power plant that was to be constructed only five miles from downtown Corpus Christi. Contending that the plant would have caused increased rates of asthma and respiratory illness, environmental groups argued that the TCEQ have failed to require the plant to comply with air toxics standards or to adequately account for millions of tons of petroleum coke that would be piled on site. The plant owner withdrew its application after judges in two separate trials found in favor of Melton's client.
- **Real Estate Developer Ron Holley**. Settled a real estate development partnership dispute on behalf of Kingwood-based developer Ron Holley against partnerships controlled by Jimmy Foster. The three partnership

agreements contained a binding arbitration clause, and Melton arranged a mediation prior to the arbitration with Houston mediator Alvin Zimmerman. Melton worked the case on a contingent fee arrangement, settled the case for both cash and property, and received his fee in cash and land.

Melton's preparation for mediation allowed the parties to understand the value of Holley's partnership interest and resolve their dispute without the cost and business disruption of a several-day arbitration proceeding. This is the fourth case Mr. Holley has hired Melton to handle for him. [Click to view references.](#)

- ***Total Petrochemicals USA (S.D. Tex.)***. Represented French-based Total Petrochemicals in several matters arising out of Total's multi-billion dollar petrochemical facility in Port Arthur, Texas. Melton settled a dispute between Total and its general contractor, Fluor, on a \$2 billion facility upgrade project. Melton's creative dispute resolution ideas allowed this dispute to be settled without litigation being filed. Following the Fluor settlement, Melton settled a breach of contract case against Wisconsin-based Team Industries. Total accused Team of improper billing for pipe fabrication on \$120 million contract. After aggressive discovery, to include several successful motions to compel discovery, Melton settled the case on terms favorable to Total. Former Supreme Court Justice, Deborah Hankinson, who mediated the case, had this to say about Melton:

"Mr. Melton was a calming presence in a tough mediation. He advocated zealously for his client without offending the other side. Moreover, one of the keys to this mediation was that Melton had the respect and trust of both his client and opposing counsel. He navigated around impasses like few lawyers I've seen." [Click to view references.](#)

- ***High Island Health, LLC et al v. Libertybelle Marketing LTD et al (S.D. Tex.)***. Settled a patent infringement lawsuit against UK-based Libertybelle, on behalf of High Island Health and Japanese inventor Jiro Takashima, alleging willful infringement of High Island's medical device patent. The High Island patents covered both medical male prostate massage devices and adult sex toys. The sex toy aspect of the case was significant enough to garner the attention of Playboy Magazine. The case settled at mediation after Judge Lynn H. Hughes held a unique, mini-Markman/summary judgment hearing, during which Melton presented technical medical evidence to the Court. The settlement is confidential and involved a running royalty on future sales and an exit from the U.S. market for certain products for the life of the patent. [Click to view references.](#)
- ***ASCO Warehouse Fire***. Just 8 months after being hired by Scottish-based ASCO, settled an \$80 million warehouse fire dispute that involved over 20 parties, to include landlords, tenants, bailors, bailees, and over a dozen insurance companies. Melton did this by contacting each of the parties and earning credibility through straight-shooting. The experienced mediator and opposing counsel have referred to Melton's work on this

matter as extraordinary. Indeed, they say Melton's novel solution implemented in this dispute is something they have never seen before. Melton's tireless work prevented any lawsuits from being filed, save one small state court action to preserve a limitations issue for the claimant. The legal fees saved by not having lawsuits made the settlement possible. [Click to view references.](#)

- ***Individual Networks v. Apple (E.D. Tex.)***. Settled a patent infringement lawsuit against Apple on behalf of Individual Networks. The Individual Networks patent involved the algorithm used in Apple's iTunes store's customized advertising process. The settlement amount is confidential. [Click to view references.](#)
- ***Custom Molders Inc. v. Ford Motor Company***. Negotiated a settlement with Ford on behalf of Raleigh-based CMI. Melton was hired by CMI's bankruptcy trustee to evaluate and pursue CMI's patent claims against Ford. Without filing a lawsuit, Melton arranged a one-day evidentiary presentation to North Carolina Bankruptcy Judge Rich Leonard, who then gave the parties a recommendation for settlement. A favorable settlement was reached shortly after Judge Leonard's recommendation. The patented technology involved injection molding techniques and processes. Prior to bankruptcy, CMI had been a supplier to Ford, and Melton successfully argued that Ford's supplier standard terms and conditions did not create a paid-up license for Ford to continue making the parts. The settlement amount is confidential. [Click to view references.](#)
- ***SuperSpeed v. IBM (E.D. Tex.)***. Settled a patent infringement lawsuit against IBM on behalf of Boston-based SuperSpeed. The SuperSpeed patented technology involved complex data caching technology. In the lawsuit, SuperSpeed alleged that IBM's DB2 database products infringed its patents. The settlement amount is confidential. [Click to view references.](#)
- ***Furry Brothers LLC v. FLIR Systems Inc (S.D. Tex.)***. Settled a breach of contract lawsuit against FLIR on behalf of Texas-based Furry Brothers. The contract was a patent license agreement, and the underlying patented technology involved infrared camera technology for aerial detection of natural gas leaks along distribution pipelines. The settlement amount is confidential. [Click to view references.](#)
- ***In Re: Carter et al (S.C. St. Ct.)***. Settled a 100,000+ member class action lawsuit. Although the case had been pending for years, Melton was hired to prepare and take the case to trial in months. This was the second massive class action that Melton has defended for this Fortune 50 retail client. [Click to view references.](#)
- ***Droplets v. Adobe Inc. & Polaris Venture Capital (E.D. Tex.)***. Settled a lawsuit against Adobe and Polaris on behalf of Dallas-based Droplets alleging patent infringement, breach of contract and misappropriation of trade secrets. The Droplets patented technology involved the delivery of rich internet applications over the Internet. In the lawsuit, Droplets alleged

that the Adobe Flex and AIR products infringed and incorporated Droplets trade secrets. The settlement amount is confidential. [Click to view references.](#)

- ***Nokia v. Zurich (Tex. Supreme. Ct.).*** Won an appeal for Nokia in its duty to defend lawsuit against its multiple insurers. The Texas Supreme Court affirmed a Dallas Court of Appeals reversal of the trial court's partial summary judgment for three insurance companies. Both appellate courts agreed that class action lawsuits seeking compensation for alleged exposure to radio frequency radiation from mobile phones asserted claims for "damages because of bodily injury" for which Nokia was owed a defense under its insurance policies. The underlying class actions in multiple states alleged that plaintiffs suffered "biological injury" including "cellular damage" as a result of exposure to radio frequency radiation when using mobile phones without headsets and sought the cost of headsets among other damages. Nokia continues to dispute and defend against these underlying claims. Nokia tendered the cases to its insurers Zurich American Insurance Company, Federal Insurance Company, and National Union Fire Insurance Company, and sought reimbursement from them for its multi-million-dollar defense costs. The insurers denied that their policies provided coverage and refused to defend the cases. Rejecting the insurers arguments that "biological injury" was not "bodily injury" and that the cost of headsets was not "damages" within the scope of their policies, the Texas Supreme Court and Court of Appeals held that Nokia was owed a duty of defense. Within months of this appellate victory, the insurance companies settled without any further trial court litigation. [Click to view references.](#)
- ***Elkin v. Steamboat Semiconductor.*** Settled an executive compensation case on behalf of Steamboat Semiconductor. The lawsuit was brought against Steamboat by the former president of the company for wrongful termination and failure to pay an alleged contractual bonus structure. Melton's thoughtful and aggressive pretrial strategy paid off, as the case was settled just months after filing for nuisance value. [Click to view references.](#)
- ***Sky Technologies v. Oracle (E.D. Tex.).*** Settled a patent infringement lawsuit against Oracle on behalf of Boston-based Sky Technologies. The patents at issue relate to online commerce negotiations software. Oracle agreed to license Sky's patents and technology. The settlement amount is confidential. [Click to view references.](#)
- ***Emery v. Wachovia Bank.*** Settled a well-known Houstonian's claims against Wachovia Bank for a confidential amount. Rocky Emery was a top-producing stockbroker with Wachovia, which terminated him in 2004. Emery asserted claims against Wachovia for damages arising from his wrongful termination. Emery also claimed that Wachovia committed fraud and breached a contract by luring him away from his former employer with

promises that were never kept. Emery's alleged damages exceeded \$70 million. [Click to view references.](#)

- **Valence v. Texas Genco/NRG Energy.** Represented Valence Operating Company in its disputes against NRG Energy (formerly Texas Genco and Reliant Energy). These disputes involved, among other issues, the Accommodation Doctrine as set forth in the Texas Supreme Court's 1971 Getty Oil decision. Getty Oil provides the legal framework for determining when, if ever, a mineral interest owner may be required to change its operations in order to accommodate the surface owner. During the course of these disputes, Valence received permits and drilled over 20 wells on NRG's property. In conjunction with these disputes, Melton represented Valence at contested evidentiary proceedings in front of the Railroad Commission of Texas that resulted in the issuance of a disputed well permit. Also, Melton represented Valence in three Accommodation Doctrine lawsuits. In those lawsuits, Melton tried three temporary injunction hearings, two jury trials, and two appeals. The reported appellate decision from one of those lawsuits was declared by one commentator to be one of the most significant oil and gas decisions of 2006. Melton is one of the foremost legal experts in the state of Texas about the Accommodation Doctrine and the nuances of that doctrine that arise in actual disputes between mineral interest owners and surface landowners. [Click to view references.](#)
- **In Re: Hummel et al (PA St. Ct.).** Tried a 168,000-member class action lawsuit for 6 weeks. Although the case had been pending for years, Melton hired to prepare and take the case to trial. At the beginning of trial, the Plaintiffs contended that defendants owed them \$300 million. The jury awarded just 25% of the amount sought by plaintiffs. The case is still pending, and Melton has developed strong legal positions to overturn even that amount through post-verdict motions and on appeal.
- **Sky Technologies v. IBM (E.D. Tex.).** Just days before trial, Melton settled a lawsuit against IBM on behalf of Boston-based Sky Technologies alleging patent infringement, breach of contract and misappropriation of trade secrets. IBM agreed to license Sky's patents and technology for conducting online negotiation. The settlement amount is confidential. [Click to view references.](#)
- **Sky Technologies v. i2 Technologies (E.D. Tex.).** Settled a lawsuit against i2 Technologies on behalf of Boston-based Sky Technologies alleging patent infringement, breach of contract and misappropriation of trade secrets. i2 agreed to license Sky's patents and technology for conducting online negotiation. The settlement amount is confidential.
- **Cano v. ConocoPhillips (W.D. Tex.).** Obtained a dismissal by a federal district court in San Antonio of all claims by 53 plaintiffs suing ConocoPhillips and Rio Grande Resources, alleging that defendants' uranium mining and milling operations caused cancer and other medical ailments. The case involved complex legal issues related to federal

radiation exposure and release regulations and standards. Plaintiffs sought damages in excess of \$50 million plus punitive damages — they recovered nothing. This dismissal has been upheld on appeal to the Fifth Circuit Court of Appeals.

- **Joseph Vecchio v. Waste Management Inc.** Secured settlement valued at \$48 million securities fraud case against Waste Management, Inc. on behalf of shareholders who opted out of a federal class action settlement. Melton filed suit in Texas state court and developed theories of liability and evidence that had evaded the federal class plaintiffs and every other group of opt out plaintiffs in the country. He claimed that Waste Management violated Sections 11 and 12 of the 1933 Securities Act, violated the Texas Securities Act, and made fraudulent and negligent misrepresentations in its June 1998 Proxy Statement in connection with its \$20 billion merger. Melton defeated Waste Management's multiple motions for summary judgment and we filed a plaintiffs-side partial summary judgment motion of our own on liability. A few weeks before trial, we settled the case for more than 40 times what our clients would have received in the class action settlement. At Waste Management's insistence, the actual amount of the settlement is confidential.
- **Simdesk Technologies v. First Genesis.** Represented Simdesk Technologies against First Genesis in a suit alleging misappropriation of trade secrets relating to Simdesk's proprietary server-side applications and server-client communications protocol. Obtained a temporary restraining order and, after a week-long, 9-witness bench trial, a temporary injunction, barring First Genesis from using the software and system at issue. Following the entry of the temporary injunction, First Genesis agreed to the entry of a permanent injunction and settled the case.
- **Texas Instruments Insurance Coverage Litigation.** Represented Texas Instruments in a Dallas state court in a coverage dispute against its insurance company regarding defense costs and settlement costs Texas Instruments incurred defending against hundreds of product liability claims and lawsuits. The long-standing dispute was resolved and Texas Instruments recovered its costs.
- **Fresnel Technologies v. Rokonet.** Tried and won a patent infringement case for Fresnel Technologies. Fresnel's patent covered optic lens design and manufacturing. The case was tried in Judge McBride's court in Fort Worth. Fresnel was awarded treble damages and attorney fees based on willfulness findings. While on appeal, Melton settled the case.
- **Anicom Securities Fraud Litigation.** Obtained \$40 million in settlements for the parties harmed by the fraud committed at the now-bankrupt wire distributor Anicom. Susman Godfrey served as lead counsel for a joint prosecution group consisting of the State of Wisconsin Investment Board (representing the shareholder class), the Anicom bankruptcy estate (on behalf of the creditors), and Anicom secured lenders (on behalf of the

banks). The \$40 million included a \$21.5 million settlement by accounting firm PricewaterhouseCoopers and an \$18.0 million settlement from certain officers and directors of Anicom, to include money paid out of the pockets of the individual defendants charged with wrongdoing.

- **Phillip Morris Litigation.** Defended Philip Morris, which was facing multi-hundred million or even multi-billion dollar claims. Susman Godfrey was on a National Steering Committee to organize the defense of tobacco litigation brought by dozens of foreign countries and Melton defended PM against all cases brought in Texas. These included lawsuits brought by the Brazilian states of Rio de Janeiro and Sao Paulo. The cases in Texas were dismissed, and those dismissals were upheld on appeal. Philip Morris ended up paying nothing.
- **Texas Instruments.** Organized, litigated and settled over 40 products liability cases for the defendant Texas Instruments. These 40+ cases were spread out over 12 states and involved the hiring and managing of 11 sets of local counsel, while coordinating all discovery centrally for consistency. While Melton managed the docket, the number of cases greatly increased, but the overall attorney's fees paid by Texas Instruments went down due to Melton's sound case management techniques and his ability to control local counsel.
- **Western Resources v. Westinghouse.** Represented Western Resources in a purchase price adjustment arbitration and related litigation against Westinghouse Electric Corporation. The arbitration and related case involved Western Resources' purchase of Westinghouse's home-monitored security business in December 1996. The terms of the settlement were confidential, although Western Resources disclosed, as required by the SEC, that it received \$37.5 million to resolve all the claims.
- **Premiere Global Services.** Represented Atlanta-based Premiere Global Services as the plaintiff in two matters. The first was a \$25 million dollar breach of contract claim against MCI WorldCom which settled very favorably to Premiere just months after Melton made an appearance in the already pending case. Premiere was so pleased with Melton's representation of them in that case against MCI that they immediately re-hired him to pursue their patent infringement case against then competitor Z-Tel/Trinsic, which settled within months of filing the lawsuit on terms favorable to Premiere.

Honors & Distinctions

- *Lawdragon* 500 Leading Litigator (2022, 2023)
- Private Practice Achievement Award, University of Houston Law School (2020)
- Winning Litigator, *National Law Journal* (2017, ALM)
- *Lawdragon* 500 Leading Lawyers (2020 – 2023)

- *Lawdragon* 500 Leading Plaintiff Financial Lawyers (2019 – 2023)
- Recognized Lawyer – General Commercial Disputes, Legal 500 (2018, 2020, Legalease)
- Texas Super Lawyer, *Law & Politics Magazine* (2012-2015, 2018-2022, Thomson Reuters)
- Texas Rising Star, *Law & Politics Magazine* (2005-2008, Thomson Reuters)
- Order of the Coif
- Articles Editor, Houston Law Review
- Law Clerk to The Honorable Tom Stagg, United States District Court for the Western District of Louisiana
- Acting Law Clerk to Magistrate Judge Roy Payne when parties consented to try their cases before the magistrate in the United States District Court for the Western District of Louisiana
- Infantry Officer (Captain) in the U.S. Army

Education

The University of Houston Law Center (J.D., summa cum laude, graduated 2nd in class)

United States Military Academy at West Point, New York (B.S., Mech. Eng.,)

Army Ranger School Honor Graduate (,)

Admissions

Bar Admissions

- Texas
- New York

Wins

Jury Awards Susman Godfrey Client Steven Lamar \$25.25 Million in Beats Headphone Royalty Dispute

Susman Godfrey Secures Appellate Victory for Client Dig Tech in Breach of Contract Case Against Star Operations

Susman Godfrey Wins More Than \$14 Million in Landmark HSH v Cigna Out-of-Network Insurance Payments Case

Jury Returns \$15 Million Verdict for Susman Godfrey Client GlobeRanger in Trade Secret Case

Small Town, Big Win for Susman Godfrey Client Dig Tech, Inc.

Leadership & Professional Memberships

- American Bar Association
- Federal Bar Association
- Houston Bar Association
- Houston Intellectual Property Law Association
- American Intellectual Property Law Association