



## Eric J. Mayer

Partner

Houston

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### *Overview*

Eric J. Mayer has litigated complex commercial matters at Susman Godfrey since 1988. He has been a partner since 1990. He has represented both plaintiffs and defendants in state and federal courts across the country.

Mayer is licensed in Texas, New York and Louisiana and handles litigation in both common law and civil law jurisdictions. Mayer's clients have profited handsomely from his hard work, trial skills and pretrial settlements.

Mayer's clients have included Aetna, Chevron, Hertz Corporation, Hines Interests, Nabors, Inc., Nokia, Texas Instruments, Timex Corporation, Total Petrochemicals, Unocal Corporation as well as individuals. To learn more please contact Eric Mayer.

### *Notable Representations*

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#### **Representative Matters**

- In the first six months of 2011, Mayer obtained multimillion dollar settlements for two separate clients. The terms of the settlements are confidential. In one of the settlements, Mayer's client did not even have to file suit. Its claims were settled in a series of pre-litigation mediation sessions. This method of dispute resolution saved Mayer's client both time and money and allowed it to move on to more productive business. To learn more about this, please contact Eric Mayer at 713-653-7853.
- In August 2008, the Texas Supreme Court held in a 7-2 decision that Zurich American Insurance Company, Federal Insurance Company and National Union Fire Insurance Company had a duty to defend Susman Godfrey's client, Nokia, Inc, in a series of class actions pending around the U.S. The ruling is a vindication for Nokia which has spent millions successfully defending these claims. Nokia hired Susman Godfrey partner

Eric Mayer after losing on this issue in the trial court. Mayer and Susman Godfrey lawyers Brian Melton, Ian Crosby and Lexie White argued that Nokia's insurers wrongfully denied coverage. The ruling by the Texas Supreme Court now opens the way for Nokia to recover millions in defense costs and fees from this group of insurers. Mayer argued the appeal for Nokia. [Click here](#) to read the Texas Supreme Court's opinion. [Click here](#) to watch excerpts of Mayer's oral argument before the Texas Supreme Court.

- In July 2008, Mayer successfully argued and won the appeal in a Texas-wide class action against The Hertz Corporation in connection with the company's rental car fuel-service charge. The class consisted of tens of thousands of class members and Plaintiffs alleged millions of dollars in damages. The Court of Appeals for the Thirteenth District Court of Texas reversed the trial court's class certification order and decertified the class on all claims. This victory will serve as persuasive authority in similar cases around the country.
- In 2007, Mayer along with Steve Susman and other partners at Susman Godfrey represented a coalition of Texas cities and counties opposing the construction of a series of coal fired power plants in Texas. Permits for those proposed facilities have now been withdrawn by the applicant, representing a significant victory in this environmental dispute. Mayer's efforts and the efforts of other Susman Godfrey lawyers have been recognized by the National Law Journal which awarded Susman Godfrey its 2008 pro bono award for work on this groundbreaking case. [Click here](#) to view Texas Bar Journal article. National Public Radio interviewed Mayer and Robert Redford about this case.
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- In 2006, Mayer successfully represented Gaperti SRL of Italy in trademark litigation in Houston, Texas. Mayer's client not only obtained a complete dismissal of all claims filed against it but also obtained funds from the plaintiff to compensate it for attorney fees and costs incurred in the litigation.
- In Fall 2006, Mayer's client, Nokia, obtained insurance coverage against a host of insurers for costs and fees expended by Nokia in defending class action litigation in a variety of state and federal courts.
- In the Summer of 2004, Mayer represented Unocal in a five week commercial arbitration concerning gas supply to a fertilizer plant located in Kenai, Alaska. Unocal prevailed on 14 of 16 issues of arbitration.
- In the Spring of 2003, Mayer represented an executive in connection with his severance from a Greenwich Connecticut hedge fund. Upon the completion of discovery of the officers involved in the termination, the case settled resulting in a confidential payment to Mayer's client.
- In 2004, 2003, and 2002, Mayer successfully handled a variety of insurance coverage matters. One of these disputes recently settled,

resulting in multimillion dollar payments to Texas Instruments, one of Mayer's clients.

- In 2000, with Randy Wilson, Mayer defended Unocal Corporation against a \$15 billion lawsuit brought by Argentina oil and gas company Bridas Corporation in connection with a pipeline across Central Asia. Following extensive briefing and an evidentiary hearing, the trial court dismissed the suit in Unocal's favor.
- In 1998, Mayer represented two former executives in connection with severance payments after their termination. The case was arbitrated to a single arbitrator and Mayer's clients received multi-million dollar awards. Confidentiality agreements prevent a more thorough discussion of the case.
- In 1998, Mayer with the assistance of Geoff Harrison, successfully defended the Hertz Corporation in a high profile jury trial in which the plaintiff alleged violations of state insurance licensing laws and unfair and deceptive practices. In less than an hour of deliberations, the jury found for Hertz on all issues and awarded plaintiff's attorneys zero in attorney's fees. Earlier in August 1997 Mayer successfully defeated plaintiff's motion to certify the case as a class action.
- In 1996, with Steve Susman, Mayer defended Texas Instruments in a case filed by Samsung alleging fraud in a 1990 cross license agreement. After a three week trial in Fort Bend County, the parties settled by entering into a new agreement that will pay Texas Instruments approximately \$1.1 billion over its term.

## *Honors & Distinctions*

- *Lawdragon* 500 Leading Litigator ([2022](#), [2023](#))
- Litigation Star, Benchmark Litigation ([2022](#), [2023](#) Euromoney)
- Recommended Lawyer, Commercial Litigation, *Best Lawyers in America* (2016, 2019, 2020, 2021, 2022, 2023, 2024, Woodward White, Inc.)
- Recognized on *Lawdragon* 500's 2019 list of the country's Leading Plaintiff Financial Lawyers ([2019](#), [2020](#), [2021](#), [2022](#), [2023](#))
- Texas Super Lawyer, Law & Politics Magazine (Thomson Reuters; 2006-present)
- Speaker: "Technology, Ethics and Electronic Discovery" UT 2014 Technology Conference
- Co-Author: "[Nuisance Joins the PJC](#)", *The Advocate*, Winter 2012
- Author: Texas Pattern Jury Charges "General Negligence Intentional Personal Torts" (2010 & 2012)
- Named a Best Lawyer in the area of Commercial Litigation in the 2012 edition of *The Best Lawyers in America Magazine* (Woodward & White)

- Speaker: "Climate Change Litigation: The Coming Storm" — The Louisiana Judicial College & Louisiana State Bar Association, Joint Summer School, June 2011
- Author: "Climate Change Litigation", Vol. 7, No. 2 Journal of Law, Economics & Policy, Winter 2010
- Speaker: Fifth Annual Judicial Symposium on Civil Justice Issues — George Mason University JEP, December 2010
- Speaker: "Technology Licensing and Contract Clauses: What Gets Litigated and Who Wins" -UT 2010 Technology Law Conference
- Elected to firm's Executive Committee in 2010
- Speaker: "The Current Status and Possible Future of Climate Change Litigation" — Oil & Gas Law Conference, February 2010
- Named a Texas Super Lawyer by Law & Politics Magazine (Thomson Reuters) in 2008 — 2014
- Named a Super Lawyer in the area of Business Litigation in the Corporate Counsel Edition of Law & Politics Super Lawyers Magazine (Thomson Reuters) in 2009
- Speaker: "Public Nuisance Litigation — Beyond Lead Paint?" at the 3rd Annual Civil Justice Symposium — Judicial Education Program sponsored by the Northwestern University School of Law, December 2008
- Speaker: "How to Bust or Follow Through With An Arbitration" at the 31st Annual Advanced Civil Trial Course sponsored by the State Bar of Texas, October 2008
- Author: "Global Warming and the Regulation of Carbon Dioxide Emissions," Vol. 71, No. 5 Texas Bar Journal, May 2008
- Speaker: "The Costs of Doing Business in a Cap-and-Trade World" at the U.S. Chamber of Commerce, May 2008
- Speaker: "Turning Up the Heat: Prosecuting and Defending Climate Change Litigation" for Andrews Publications CLE E-seminar, May 2008
- Speaker: "E-Discovery Issues in State and Federal Courts: Update on Important Rulings" at Mealey's Corporate E-Discovery Conference, October 2006
- Speaker: "Ultimate Trial Advocacy Institute" September, 2001
- Law Clerk to The Honorable Charles Schwartz, Jr., U. S. District Court, Eastern District of Louisiana, 1984-85
- Author and Speaker: "How to Protect the Company When the Deal Goes Bad" for Sonat Annual Lawyers Conference, October 1996
- Speaker: "Designing Profitable Alternative Billing Arrangements" for Business Development Associates, Inc., July 1996

- Author: "For Richer or Poorer- Equities of the Career Threshold, No-Asset Divorce," 58 Tul. L. Rev. 791, 1984

## *Education*

**Tulane School of Law** (J.D., magna cum laude, 1984)

- *Tulane Law Review*
- Order of the Coif

**Tulane University** (B.A., cum laude, 1981)

- Phi Beta Kappa