



## Erica Harris

### Partner

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## Overview

***“Ms. Harris is the best damn lawyer in Houston . . . Erica knew more about natural gas contracts one month into the case than the suing parties [that] had been using the contracts for 10+ years.”***

Patrick A. Locke, III, Cannon Interests

I try bet-the-company cases for clients in federal and state courts around the country and in international arbitrations. Whether I am representing a Fortune 50 energy company or an individual seeking justice against such a company, I bring to each case vigor, grit, and a determination to win. Key to accomplishing that goal is understanding your business, your industry and your history. I do not gloss over nuances in the law or details in the evidence. I will understand everything about your case and apply the law to your unique facts to put you in the best position for success.

***“To observe Erica in a courtroom setting is an opportunity to watch genius at work. . . . if trial is the only option, Erica’s meticulously thorough preparation for trial is very comforting and calming for the business executive involved in ‘bet the company’ litigation. You always have the feeling that she has it all under control.”***

Dave Spray, President, Tax Export Advisors, Inc.

You need a trial lawyer, not a discovery litigator, for trial. All litigation before trial will be focused on what matters at trial. I will distill your case into language that is easily understood and present the story of your case fluidly. Most importantly, I will reveal the truth through cross-examination of the other sides’ witnesses. The ability to cross-examine effectively is a skill not every lawyer has. [Click here](#) to read a recent examination I did at trial of an adverse party’s president.

***“What a huge difference a great lawyer makes! Erica took over the defense eight weeks before trial. She analyzed our situation, clearly explained our options, and expertly laid out the likely outcomes of each of the many strategic decisions facing our board in this very fluid and time compressed case. In just five weeks, Erica put the case in a position to be tried and enabled me and my board to make the best decisions for our company.”***

Cinta Putra, CEO Everbridge, Inc.

You deserve the truth. I will not tell you everything is rosy if it isn't. Nor will I paint the world with a black brush. I will communicate clearly my best assessment of the strengths and weaknesses of your case. You will know what to expect and understand the advantages and disadvantages to every decision you make.

***“In 2009 our business was blindsided with an unexpected lawsuit . . . Erica Harris and Shawn Raymond . . . engaged the suing parties head on and in good faith. In less than sixty days the lawsuit was unconditionally dismissed and never went to trial.”***

Rodney Stephenson, President, Trinity Retail Construction

Your case is not the only thing happening in your business or your life. I understand that while I am passionate about trying cases, your desired end result may not be a trial. I will work with you to achieve your goal even when that goal is to end the litigation as quickly as possible. [Click here](#) to read more client feedback.

## Education

- The University of Texas, JD, high honors, Vice Chancellor (second in class), Order of the Coif, Associate Editor, Texas Law Review
- Rice University, BA, *Phi Beta Kappa*, *magna cum laude*, Best Senior Thesis, graduated in 3 years

## Clerkship

Judicial Clerk, Honorable Lee H. Rosenthal, Southern District of Texas

## Notable Representations

### CURRENT HIGH STAKES LITIGATION

- I currently represent Chevron U.S.A., Inc. and Chevron Corporation in climate change litigation filed in courts across the nation. See, e.g., *City of Oakland v. BP, PLC, et al*, 325 F. Supp. 3d 1017 (2018).

### PAST WINS

- I represented Total Energies Petrochemicals & Refining USA Inc. in commercial litigation arising out of the 2019 Intercontinental Terminals Company LLC Deer Park Explosion.
- I have represented Chevron U.S.A., Inc. and affiliates in numerous other commercial and environmental litigation matters. See, *Chevron U.S.A. Inc. v. Ronald Guajardo, et al*, Southern Cause No. 4:17-cv-01549. [Click here](#) to read about Temporary Restraining Order entered.
- I represented KBR, Inc. in a quarter of a billion dollar dispute with Halliburton Co. [Click here](#) to read the *Law360* article.
- I represented Poly-America LP in its trademark invalidity action against Stego Industries, L.L.C. The Court found for my client on its trademark invalidity action, declared the trademark invalid, ordered cancellation of the trademark, and enjoined defendant from initiating or pursuing infringement litigation against my client. Our opponent appealed its loss, but we won affirmance in the Fifth Circuit. See *Poly-America, LP v. Stego*

*Industries, LLC*, 694 F. Supp. 2d 600 (N.D. Tex. 2010), aff'd, per curiam (5th Cir. 2012).

- I represented Cannon Interests-Houston against Kinder Morgan Texas Pipeline, L.P. on an approximately \$15 million dollar breach of contract claim, which settled after my client won three motions in a row.
- I represented Lyondell-Citgo Refining LP against the state owned Venezuelan oil company, Petroleos de Venezuela, SA, and PDVSA-Petroleo, S.A. in a \$250 million dollar breach of contract action. The case settled after we obtained an adverse inference against the defendants for refusing to produce documents and while plaintiff's motion for summary judgment was pending. See *Lyondell-CITGO Refining, LP v. Petroleos de Venezuela, S.A. and PDVSA-Petroleo, S.A.*, 2004 WL 2698218 (S.D.N.Y. Nov. 19, 2004).
- I represented Clear Channel Communications, Inc. in a \$1.5 billion antitrust action brought by Univision, obtaining both a dismissal of the action in the lower court and affirmance of that decision in the Eleventh Circuit. See *Spanish Broadcasting System v. Clear Channel Communications, Inc.*, 376 F. 3d 1065 (11th Cir. 2004).
- I represented Ace Bermuda Insurance Ltd. against a \$150 million dollar breach of contract dispute brought by an insured. We obtained a winning judgment for defendant after a three week international arbitration.
- I represented pensioners in an ERISA action brought against RJR Nabisco, Inc. The case settled after we won an appeal before the Fifth Circuit.

## Honors and Distinctions

- Recognized on *Benchmark Litigation's* Top 250 Women in Litigation list ([2020](#), [2021](#), Euromoney)
- [Litigation Star](#), Benchmark Litigation (2022, Euromoney)
- Recommended Lawyer in Energy Litigation: Oil & Gas by *The Legal 500* (Legalease Ltd., [2020](#), [2021](#))
- Named one of the 500 Leading Lawyers in the United States by *Lawdragon* magazine ([2018](#), [2019](#), [2020](#), [2021](#))
- Recognized on *Lawdragon* 500's list of the country's Leading Plaintiff Financial Lawyers ([2019](#), 2020, [2021](#))
- Named one of The Best Lawyers of America in Antitrust Litigation and Intellectual Property Litigation by *The Best Lawyers in America* (Woodward White, Inc. [2021](#), [2022](#))
- Named one of The Best Lawyers of America in Commercial Litigation by *The Best Lawyers in America* (Woodward White, Inc. [2019](#), [2020](#), [2021](#))
- Named a [Litigation Trailblazer](#) by *National Law Journal* (ALM, 2019)
- Named a [Woman Who Means Business – Outstanding Leader in Law](#) by *Houston Business Journal* (2019)
- Named one of Top 50 Female Lawyers in Texas by *Texas Super Lawyers* magazine (Thomson Reuters, 2015, 2018, 2019)
- Named one of The Top 100 Lawyers in Houston Region by *Texas Super Lawyers* magazine (Thomson Reuters, 2014, 2015, 2017, 2018, 2019, 2020, 2021)
- Named a Texas Super Lawyer by *Law & Politics Magazine* (Thomson Reuters, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021)
- Recognized for Outstanding Contribution to Furthering the Advancement of Diversity in the Legal Profession, Shortlist (*Chambers Diversity & Inclusion Awards: USA* 2019)
- AV Preeminent Rating (5.0 out of 5) from Martindale Hubble
- Named a Top Lawyer by *Texas Monthly* magazine (2018)
- Named a Houston Top Lawyer by *H Texas Magazine* (2008, 2010-2015, 2017)
- Named a Top-Rated Lawyers in Intellectual Property Law by Martindale-Hubbel (2014)
- Named one of *Texas Lawyer's* [Winning Women](#) (ALM, 2014)

- Named a Houston Top Lawyer for the People by *Texas Magazine* (2008-2010) (publication stopped in 2010)
- Olin Fellow, Visiting Lecturer in Law, University of Virginia School of Law, 1997-1998
- Elected to Executive Committee in 2007
- Chair of Employment Committee, 2004-2005, 2017
- Chair of the Practice Committee, 2006, 2010
- One of Three Partners in Charge of Practice for the Nationwide Firm, 2009, 2011
- Life Fellow of the Texas Bar Foundation
- Life Fellow of the Houston Bar Foundation
- Strathmore's *Who's Who*, 2010

## Articles

- [Amicus Briefs Filed in Support of Dr. Sue Sisley's Petition to Facilitate Medical Cannabis Research for Veterans with PTSD](#), Interview with *Cannabis Dispensary* (October 2020)
- "[Pre-Trial Planning Checklist](#)" in *The Advocate* (Spring 2018) (with Karen Burgess)
- "[Update on Challenges to Expert Witnesses](#)," Texas Bar CLE, Advanced Civil Trial (with Maria Boyce)
- "[Court Management of Discovery in Complex Cases](#)," Texas Bar CLE, Advanced Evidence and Discovery Conference
- "[Lessons Learned from Big Cases for Small Cases and Vice Versa](#)," 39th Annual Page Keeton Civil Litigation Conference
- "[Preparing Your Witness for Deposition](#)," Winning at Deposition: Skills and Strategy, UT Law CLE
- "[Shareholder Oppression: What is left after Ritchie v. Rupe](#)," 38th Annual Page Keeton Civil Litigation Conference
- [Working on the Clock: The Advantages of Timed Trials](#), *The Texas Lawyer*
- [Employers Beware: Layoffs May Result in Theft of Information](#), *Houston Business Journal*
- [Changing Times Bring New Threats to Houston Commerce](#), *Houston Business Journal*
- [Discovering Fraud Post-Confirmation: Is there recourse after 180 days?](#), ABA Commercial & Business Litigation Newsletter
- Multiple Parties: Alliances, Traps and Tactics, The University of Houston Law Foundation CLE
- [Business and Commercial Litigation Update](#), State Bar of Texas
- The Regulation of Managed Care: Conquering Individualism and Cynicism in America, *Virginia Journal of Social Policy and the Law*
- Corporate Restructuring, Technical Change and the Distribution of Labor Income, *The Macrofoundations of Economic Growth*
- [Controlled Impairments Under the Americans with Disabilities Act: A Search for the Meaning of "Disability"](#), *Washington Law Review*
- [Is Age Discrimination Really Age Discrimination?: The ADEA's Unnatural Solution](#), *New York University Law Review*
- In Defense of Targeted ERIPs: Understanding the Interaction of Life-Cycle Employment and Early Retirement Incentive Plans, *Texas Law Review*
- How the State Judiciary Can Increase Professionalism Within the Bar, Harris County Civil Judicial Conference

- [OMG! Text me, Please!, Rantings of a Partner . . . and Pushback from the Associate](#), American Bar Association (2011)

## Professional Associations and Memberships

- United States Supreme Court
- United States Court of Appeals for the 2nd, 5th, and 11th Circuits
- Federal Circuit
- Southern, Northern, Eastern and Western Districts of Texas
- State of New York and State of Texas
- American Bar Association
- Federal Bar Association
- Fifth Circuit Bar Association
- Houston Bar Association (Professionalism Committee Mentor 2010-present, Teach Texas Volunteer 2017)
- Rice University Mentor (2020- present)
- Careerspring Mentor (2020-present)
- *The Advocate*, Editorial Board (2021-present)
- Fort Bend Exchange Club – ACE Award judge (2014-present)
- ESCAPE Family Resource Center, Inc. (Board Chair 2017-2018) (Vice-Chair 2016-2017) (Executive Committee 2015-2018) (Board 2011-2018)
- Greater Houston Partnership's Women's Business Alliance (Steering Committee 2014) (f.k.a. Women's Leadership Committee 2012-2014)
- UT Law CLE, Page Keeton Civil Litigation Conference (Planning Committee 2014, Co-Chair 2015, Senior Co-Chair 2016)
- Houston Philosophical Society
- Rafta Partner's Breakfast Roundtable (2008-2012)

## Audio / Videos

[\*Oral Argument before the Fifth Circuit Court of Appeals, on behalf of Poly-America, LP, June 6, 2012\*](#)

[\*Negotiation Tips for Women\*](#), clip from a speech before the National Business Women's Luncheon, November 16, 2011