



## Harry P. Susman Partner

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### Overview

***“The ‘super-smart’ Harry Susman has developed an impressive reputation as a commercial litigator. He acts on behalf of plaintiffs and defendants in high-stakes business disputes.”***

As quoted in Chambers USA 2020, General Commercial Litigation

Harry Susman is a trusted trial lawyer who regularly secures winning judgements and verdicts for his clients. He tries complex cases for plaintiffs and defendants throughout the country. Harry has been recognized consistently by leading legal publications and researchers for his winning litigation work. Chambers USA has recognized Harry as a leading litigator in Commercial Litigation and Antitrust each year since 2014. Since 2009 Harry has been deemed one of the Best Lawyers in America by Best Lawyers® (Woodward White Inc. 2009-2020), and he has been named a Super Lawyer in Texas by *Law & Politics* magazine (Thomson Reuters) from 2008-2021. *H Magazine* named Harry one of the best lawyers under 40 in Houston and he has also been one of *Lawdragon’s* 500 Leading Plaintiffs Financial Lawyers since 2019.

***“He is noted for his trial practice, peers commend his ‘fine litigation skills.’”***

As quoted in Chambers USA 2020, Antitrust

With a rare distinction of being a former United States Supreme Court clerk, Harry has the best academic and legal credentials, but more importantly, he is a powerful and charismatic courtroom lawyer. For example, When a group of federal judges needed a lawyer to represent a class consisting of all federal judges seeking a pay raise, they turned to Harry Susman in *Sarah Evans Barker et al. v. United States* 1:12-cv-00826. (U.S. Claims Court). Harry’s success as a trial lawyer is evidenced in the significant cases he brings to and wins at trial and arbitration.

***“He is fantastic in every way.”***

As quoted in Chambers USA 2021, Antitrust

Harry’s most recent wins include:

- After intervening in the SEC’s action against digital music streaming service, Akazoo, securing \$35 million settlement on behalf of a group of PIPE and SPAC investors over allegations that Akazoo defrauded them and lied about business prospects both before and after its 2019 special purpose acquisition company merger. The group represented by Susman Godfrey in the matter was awarded \$30.1 million of the settlement (\$25.3 million after fees and expenses). [Read more.](#)
- Serving as lead trial lawyer in an arbitration defending a group of private equity firms against a \$20 million securities fraud claim.
- Serving as lead trial lawyer in an arbitration on behalf of a group of oil and gas investors in a project in Papua New Guinea; after the hearing, the case was resolved.
- Winning a \$73.5 million judgment (from which the client received \$58 million net of fees) before the Delaware Chancery Court as co-lead trial lawyer representing Wellstat Therapeutics; the judgment that was [affirmed by the Delaware Supreme Court](#). You can watch Harry’s oral argument before the Delaware Supreme Court [here](#).
- Invalidating an amended will on behalf of Ellen and Margaret Cotter that determined control over Reading International.
- Defending Water Exploration Limited and Dean Davenport in a breach of contract case where plaintiffs sought over \$40 million. As lead trial counsel, Harry received a defense verdict after month-long trial.

***“He is highly intelligent, extremely motivated and a pleasure to work with. He is very, very dedicated to the case.”***

As quoted in Chambers USA 2021, Commercial Litigation

## Education

- Yale University
- University of Texas School of Law

## Clerkship

Justice Anthony Kennedy on the United States Supreme Court.

Judge Alex Kozinski on the United States Court of Appeals for the Ninth Circuit

## Notable Trial Representations

***“Thorough and very hard-working, with tremendous trial experience.”***

As quoted in Chambers USA 2015, Antitrust

Harry has a deep history of securing landmark wins in trial and arbitration. In an industry where more and more cases are settled before ever seeing a courtroom, Harry stands out as a lawyer to call when everything is on the line and the best of the best is needed. Harry has served as:

- Co-lead trial counsel in representation of OppenheimerFunds in case involving various structure finance vehicles in which plaintiffs sought almost \$2 billion in damages. He received favorable summary judgment ruling for Oppenheimer, which was affirmed on appeal.
- Co-lead trial counsel representing various mutual funds with hundreds of millions in losses as opt-out plaintiffs in securities litigation involving the demise of American International Group.
- Lead trial counsel for Foundation Surgical Hospital Affiliates in wide-ranging litigation over management and ownership of doctor-owned hospital in Houston.
- Counsel to a group of Bank of America shareholders in litigation regarding the acquisition of Merrill Lynch.
- Co-lead trial counsel for hedge fund investor in \$150 million claim arising from a dispute over withdrawing its investment. The case settled during arbitration hearing.
- Class counsel for Dynegy shareholders challenging acquisition by private equity firm.
- Lead trial counsel for two large investors involved in the Madoff scandal. Harry obtained favorable arbitration award for one and the other settled ahead of trial.
- Counsel to the Attorney General of Mississippi, Jim Hood, in a long-running dispute with Microsoft Corporation, alleging violations of the Mississippi Consumer Protection Act. After the case settled, General Hood announced that the settlement was worth in excess of \$100 million.
- Co-lead trial counsel in a dispute over ownership of a television station in Austin, Texas. The case settled while the jury was deliberating.
- Co-lead trial counsel for international timber company in its lawsuit against Pan American Energy LLC. After a two-week trial, the jury announced that it was ready to return a verdict; the case settled as the jury was about to read the verdict.
- Lead trial counsel for Tequila Herradura, the largest tequila manufacturer in Mexico, in a dispute with its United States distributor. Shortly after receiving the decision in the arbitration, Herradura was able to sell itself for almost \$800 million.
- Counsel to a former executive and shareholder of a large investment management firm in an employment termination and shareholder dispute. Case settled for nine figures net to the client.
- Lead trial counsel for two investors in a \$20 million securities fraud case involving a private placement.

## Honors and Distinctions

- [Litigation Star](#), Benchmark Litigation (2022, Euromoney)
- Named to *Lawdragon's* 500 Leading Plaintiffs Financial Lawyers (2019, 2020, 2021)
- Recognized by Chambers U.S. for Litigation: General Commercial (Texas) and Antitrust (Texas) (2014 – 2020)
- Named one of the Best Lawyers in America by Best Lawyers® in Commercial Litigation, Personal Injury Litigation – Defendants, and Personal Injury Litigation – Plaintiffs (Woodward White Inc. 2009-2022)
- Named one of The Top 100 Lawyers in Houston Region by *Law & Politics* magazine
- (Thomson Reuters, 2020)
- Recognized as a Super Lawyer in Texas by *Law & Politics* magazine (Thomson Reuters, 2008-2021)
- Editor-in-Chief of the Texas Law Review, graduated with high honors
- Chancellors and Order of the Coif
- Outstanding Student for the University

## Professional Associations and Memberships

- Board of Directors of the Contemporary Arts Museum
- Board of the Anti-Defamation League
- University of Texas Chancellor's Executive Committee