



Robert Rivera, Jr. Partner

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Overview

ROBERT RIVERA, Jr., an honors graduate of the University of Texas and the Yale Law School, joined Susman Godfrey in 1990 and became a partner in 1995. He has had tremendous success representing plaintiffs and defendants in complex high-stakes litigation throughout the United States.

Mr. Rivera has a nationwide practice and has successfully handled cases in Texas, California, New York, Iowa, North Carolina, Nevada, Pennsylvania, and Louisiana. His cases, which have arisen under the laws of the United States and foreign countries, have taken him to England, Brazil, Bolivia, Scotland, and France. Mr. Rivera has substantial experience in various types of commercial litigation, including antitrust, patent and trademark, securities, contract disputes, fraud, accounting, and insurance coverage, as well as mass tort and products liability.

Education

- University of Texas (B.A., 1986)
- Yale Law School (J.D., 1990)

Wins

Mr. Rivera has recovered more than \$1 billion for his clients by way of judgments and settlements. Most recently, as lead trial counsel for Nevada Gold & Casinos, Inc., Mr. Rivera obtained a jury verdict and judgment in excess of \$9 million in favor of his client in a dispute involving the development of a casino. He has also successfully defended clients facing multi-million and multi-billion dollar lawsuits. For instance, in another case for Nevada Gold & Casinos, Rivera successfully defended his client by obtaining summary judgment on all claims in a lawsuit brought against it in California by Rinaldo Corporation. The plaintiff sought more than \$400 million in alleged damages. As lead counsel for Amazon.com in an adversary proceeding brought in bankruptcy court by the Liquidating Tort Trustee for Living.com, he also obtained summary judgment on all claims in favor of Amazon.com and subsequently settled the case for a nominal sum. He also represented Philip Morris in litigation brought by a number of Brazilian states seeking to recover billions of dollars. The cases were dismissed and the dismissals upheld on appeal. Philip Morris paid nothing. In another recent matter filed in bankruptcy court, by Dresser Industries and a large number of additional subsidiaries of Halliburton, Mr. Rivera represented Equitas Ltd., one of the world's largest insurers, in a coverage dispute involving hundreds of millions of dollars of exposure. The matter settled at a substantial discount following litigation in the bankruptcy court.

Professional Memberships and Associations

- State Bar of Texas
- New York Bar Association
- American Bar Association
- Houston Bar Association

Notable Representations

- ***Enron Corp. vs. Citigroup et al.*** Prosecution of massive and complex adversary proceeding on behalf of Enron's bankruptcy estate against eleven major financial institutions for aiding and abetting the widely-reported breaches of fiduciary duty and fraud of some of Enron's former senior officers. Mr. Rivera was part of the team of Susman Godfrey lawyers that prosecuted the estate's claims in the United States Bankruptcy Court in New York City. Susman Godfrey reached settlements worth hundreds of millions of dollars to the estate and its creditors.
- ***Nevada Gold & Casinos, Inc. vs. American Heritage, Inc. et al*** Hired on the eve of trial as lead trial counsel for the plaintiff, obtained a jury verdict and judgment of more than \$9 million in favor of his client. The case subsequently settled for a confidential amount. The lawsuit concerned the development of the Route 66 Casino near Albuquerque, New Mexico.
- ***In re Structured Settlement Litigation*** Prosecution of consolidated class action lawsuits in Los Angeles Superior Court against several large financial institutions seeking to recover monies looted from structured settlement trusts. Defendants paid approximately \$135 million to the injured individuals whose structured settlement reserves for future medical care and living expenses had been looted from trust funds. The plaintiffs recovered 100% of their losses. Mr. Rivera worked extensively on this case with co-lead class counsel, Marc Seltzer of Susman Godfrey's Los Angeles office.
- ***Gas Oriente Boliviana Ltda and Gas Occidente Do Mato Grosso Ltda vs. McGriff, Seibels & Williams of Texas, Inc., et al.*** Negligence action against insurance brokers on behalf of pipeline companies from Brazil and Bolivia. Achieved confidential settlement following discovery.
- ***The Port of Port Arthur Navigation District vs. Lanier & Associates Consulting Engineers, Inc., et al.*** Lawsuit on behalf of the Port's governing authority against several engineering and construction companies for negligent design and construction of large port facilities. Achieved favorable settlements following extensive discovery that allowed the Port to re-build the facilities.
- ***Joe Brand, Inc.*** Complex dispute over responsibility for the damages resulting from the destruction by arson of a large luxury clothing, jewelry, and accessories store. Following litigation with insurance, security, and mall management companies, achieved substantial settlement on behalf of the store's owners.
- ***Johnson vs. Boston*** With co-lead class counsel Marc Seltzer of Susman Godfrey's Los Angeles office, achieved substantial settlements on behalf of investors in nationwide class action seeking to recover losses from the promoters of an alleged "Ponzi" scheme.

Representative Defense Cases

- ***Rinaldo Corp. v. Nevada Gold & Casinos, Inc.*** Defense of public casino development and management company in suit brought against it in California seeking more than \$400 million in damages for alleged tortious interference with contract and prospective economic advantage. The Court granted summary judgment in favor of Nevada Gold on all claims.
- ***The State of Rio de Janeiro, Brazil vs. Philip Morris, et al.*** Litigation brought by Brazilian state seeking to recover more than \$5 billion dollars. The case was dismissed and the dismissal upheld on appeal. Philip

Morris paid nothing.

- ***Bensimon, Liquidating Tort Trustee of Living.Com vs. Amazon.com*** Defense of Amazon in suit by bankruptcy trustee to recover damages for alleged fraudulent conveyance and breach of contract. The court granted summary judgment in favor of Amazon on all claims and the case settled for a nominal sum.
- ***Campbell vs. Goodman Enterprises and Amana Corp.*** Defense of the nationally known manufacturer of consumer appliances and its parent company against class action claims of age discrimination brought by former employees in Cedar Rapids, Iowa. The Court denied class certification and granted summary judgment on all claims.
- ***In re Mid-Valley, Inc., et al.*** Complex adversary proceeding within prepackaged bankruptcy of Dresser Industries and several other Halliburton subsidiaries. Represented Equitas Ltd. and Certain Underwriters at Lloyd's London in coverage dispute involving hundreds of millions of dollars. The case, along with several other related coverage lawsuits pending throughout the country, settled at a deep discount following litigation in the bankruptcy in Pittsburgh, Pennsylvania.
- ***Reno Air vs. Northwest Airlines, Inc.*** With Parker Folse of Susman Godfrey's Seattle office, defense of claims against Northwest for attempted monopolization. The suit was dismissed voluntarily by plaintiff following the completion of discovery.
- ***Britton vs. Britton*** Series of related cases relating to a dispute between members of a prominent and wealthy family over the alleged mismanagement and looting of family partnership and estate assets. Mr. Rivera was lead trial counsel for the defendants and obtained no liability verdicts and judgments in three separate trials.