

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.

Notable Representations

Representative Matters

REPRESENTATIVE CASES

- ***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 SIDE 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. Philp 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.

Admissions

Bar Admissions

- Texas

Wins

Two Pro Bono Victories In One Day For Susman Godfrey Co-Managing Partner Neal Manne

Leadership & Professional Memberships

- New York Bar Association
- American Bar Association
- Houston Bar Association