



## Rocco Magni

Partner

Houston

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### Overview

Mr. Magni is an accomplished trial lawyer with judgment and skills well beyond his years. He has already achieved significant trial victories—over more than 130 days of trial time—with hundreds of millions of dollars at stake in each. Most recently, Mr. Magni helped secure a \$159 million award after a two-month arbitral hearing.

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*Rocco was an incredible resource for me during this stressful time. He is very organized, solution driven and actually cared about helping me find the right outcomes. I would hire him again in a heartbeat.*

**Client in confidential business dispute**

Mr. Magni achieves significant results by combining this experience with his creative thinking and ability to make even the most complex concepts easily understood by his audience.

The legal profession has recognized Mr. Magni's impact in the courtroom. In 2023, *Texas Lawyer* named Mr. Magni a Rising Star (ALM), which “identifies lawyers under the age of 40 who are experts in their fields and have made an impact in the legal world.” Also in 2023, Lawdragon named Mr. Magni to the Lawdragon 500X, a list of the “Next Generation of Leading Lawyers” nationwide. He was recognized by Best Lawyers: Ones to Watch for Commercial Litigation, Intellectual Property Law, and Litigation-Intellectual Property (2021-2024). In 2019, Mr. Magni was named a Rising Star in the Trials category by Law360, an honor bestowed upon only five lawyers in the country. And both the Texas Bar Foundation and American Bar Foundation have named Mr. Magni a Fellow, an honor reserved for the top 1/3rd of 1 percent of Lawyers in Texas and top 1 percent of lawyers in the nation, respectively. Prior to joining Susman Godfrey, Mr. Magni was ranked fourth in

his class at the University of Texas School of Law and clerked for former Chief Judge of the Fifth Circuit Court of Appeals, the Honorable Edith H. Jones.

Below are a few of Mr. Magni's notable matters

## TRADE SECRETS

- ***Title Source, Inc. v. HouseCanary, Inc.***
  - Represented real estate analytics start-up company HouseCanary, Inc. in a misappropriation of trade secrets, fraud and breach of contract case.
  - Conducted examination of the first witness—and one of only two fact witnesses—in HouseCanary's case-in-chief, which included a redirect examination following a cross-examination by opposing counsel's most senior lawyer.
  - After a seven-week trial, the jury awarded \$706.2 million, including \$403.2 million in punitive damages.
  - You can read more about the historic victory [here](#).
- ***Pascal Metrics v. Health Catalyst***
  - Co-lead counsel in trade secret misappropriation dispute on behalf of Pascal Metrics against competitor Health Catalyst regarding Health Catalyst's use and acquisition of trade secret healthcare data analytics.
  - Obtained key admissions in depositions of Health Catalyst's technical employees.
  - Successfully argued and defeated challenge to Pascal Metric's damages model.
  - Successfully obtained an \$18.8 million settlement at the pretrial conference.
- ***Black Knight, Inc. v. PennyMac Loan Services, LLC***
  - Represented Black Knight in its trade secret misappropriation and breach of contract case before the American Arbitration Association concerning PennyMac's unauthorized use of Black Knight's mortgage servicing platform and related confidential information in developing PennyMac's mortgage servicing platform.
  - Led the trial team's technical strategy.
  - Conducted numerous direct and cross examinations of key technical witnesses throughout the 8-week arbitration hearing.
  - Successfully obtained \$159 million arbitration award for Black Knight following 8-week final hearing.
- ***Alamo Botanicals v. Rodkey***

- Represented Alamo Botanicals in a multi-million-dollar cannabidiol (CBD) oil trade secret misappropriation case against its former partner and current competitor. The case had national significance as it marked the first misappropriation suit involving CBD product formulas, which have only recently been legalized.
- Hired to replace prior counsel in order to get the case back on track. Strategically and swiftly identified numerous defendants and causes of action omitted in the initial complaint and filed a second complaint based on new and retooled legal theories. Between the new claims and the active approach to discovery, dramatically increased the Defendants' exposure and completely changed the dynamic of the case.
- Obtained a successful multi-party settlement in mediation.

## PATENTS

- ***Kerr Machine Co. v. Vulcan Industrial Manufacturing***
  - Represented Kerr in multiple patent infringement suits against Vulcan related to hydraulic fracturing equipment.
  - Successfully opposed multiple stay motions based on Vulcan's PGR petition before the Patent Trial and Appeal Board.
  - Successfully briefed and argued multiple motions to compel discovery.
  - Successfully briefed and argued claim construction terms, including persuading the Court to abandon a preliminary term construction in favor of Kerr's construction.
  - Took and defended every deposition, including Vulcan technical and financial employees.
- ***Kerr Machine Co. v. SPM Oil & Gas Inc. S.P.M. Flow Control, Inc.***
  - Defended Kerr against a competitor's patent infringement claims.
  - Successfully obtained favorable settlement by filing a declaratory judgment action in a favorable forum and pursuing a creative invalidity strategy.
- ***Sol IP v. AT&T, Sprint, & Verizon***
  - Represented Sol IP in an action asserting key LTE and WIFI patents against the major telecommunications carriers Sprint, AT&T and Verizon, and base station manufacturers Ericsson and Nokia.
  - Took over twenty-five of the case's most critical depositions around the world, including the depositions of Defendants and Intervenor's damages expert and many of their technical employees. The case was successfully resolved against all defendants the month before trial.

- ***Personalized Media Communications, LLC v. Netflix, Inc.***
  - Represented PMC in an action asserting multiple patents related to multimedia signal processing techniques for the control of video displays and the coordination of video content.
  - Successfully briefed the opposition to Netflix's patent eligibility challenge pursuant to 35 U.S. Code § 101, with the Court ruling on the papers that all asserted patents were eligible.

## COMMERCIAL DISPUTES

- ***ROKiT World, Inc. and ROKiT World Limited V. Williams Grand Prix Engineering Limited***
  - Lead counsel defending Formula One team Williams Racing against fraud claims brought by former sponsor.
  - Successfully removed case to federal court under the New York Convention and obtained dismissal shortly thereafter.
- ***Alattar and Luxeyard Inc. v. Kevan Casey, et al.***
  - Defended two private investors in civil securities fraud lawsuit brought by company.
  - Successfully briefed a motion to strike the Plaintiff's \$140 million damages model, which the Court granted on the eve of trial.
  - Second-chaired four-week bench trial, conducting multiple direct and cross examinations of witnesses—including named plaintiff—and giving closing argument on breach of contract counterclaim.
  - What started with \$140 million in potential liability ended with the Court ultimately releasing one investor from all liability and limiting the Plaintiff's recovery from the second investor to the profits from the transactions at issue.
  - The Court also awarded the two private investors a portion of the damages sought in their counterclaim.
- ***Phillip T. Howard v. J.B. Harris***
  - Represented litigation funder Virage Capital Management in obtaining declaratory relief regarding rights to proceeds from a docket of 1,000 tobacco-related lawsuits.
  - Obtained a rare anti-suit injunction following a multi-hour evidentiary hearing in order to prevent defendants from opening a new front in the litigation.
  - Gave the opening argument at trial and ultimately obtained a judgment awarding all declaratory relief Virage sought and over \$1 million in attorney's fees.
- ***Virage Capital Management v. Litcap***

- Represented Virage in what initially began as defense-side case in Texas state court.
- Virage faced a variety of claims asserted by former partners based on their allegations of contract breaches, misrepresentations and supposed unethical conduct. We aggressively brought the fight to the plaintiffs by initiating arbitration, forcing the state claims into arbitration, abating plaintiffs' state court case, filing our own multi-million dollar claims in arbitration, securing a rapid hearing schedule, compelling production of withheld documents, and moving for summary judgment.
- Successfully obtained a confidential settlement and a signed court order reciting that the plaintiffs "withdrew and did not present evidence to support allegations about [our client's] alleged 'unethical behavior.'"
- ***Bayou Corne Sinkhole Litigation***
  - Defended Texas Brine Company—operator of a brine well at issue—in multiple lawsuits stemming from a sinkhole formation in Bayou Corne, Louisiana.
  - Cross examined third-party witness during a four-week bench trial. Prepared multiple expert and fact witnesses for trial testimony.
  - The court determined other parties should bear the majority of the responsibility for the formation of the sinkhole.
- ***Downer v. Leichtenberg***
  - Represented real estate investor in breach of contract dispute with developer involving properties in multiple cities. Successfully reached settlement after one deposition.
- ***Confidential Accounting Malpractice Dispute***
  - Represented client of Big-Four accounting firm in dispute over grossly negligent actuarial advice. Successfully reached settlement pre-suit.
- ***Los Angeles County, The State Of California And The United States Of America Ex Rel. Karen Gluck v. Shepos, Et al.***
  - Currently representing relator in qui tam matter before the United Stated District Court for the Central District of California.

## *Honors & Distinctions*

- Rising Star, *Texas Super Lawyers* ([2024](#) Thomson Reuters)
- Rising Star, *Texas Lawyer* ([2023](#), ALM)
- Lawdragon 500X – The Next Generation of Leading Lawyers ([2023](#))

- Recognized in Best Lawyers: Ones to Watch for Commercial Litigation, Intellectual Property Law, and Litigation-Intellectual Property ([2021](#), [2022](#), [2023](#), [2024](#) Woodward White, Inc.)
- Named a [Rising Star – Trials](#) by Law360 (2019)
- Named a Fellow by the American Bar Foundation (top 1 percent of lawyers in the nation)
- Named a Fellow by the Texas Bar Foundation (top 1/3<sup>rd</sup> of 1 percent of Lawyers in Texas)
- Chancellors Honor Society, Keeper of the Peregrinus (fourth-highest GPA in the 2014 law school class)
- Order of the Coif
- Articles Editor, *TEXAS LAW REVIEW* (Volume 92)
- Dean's Achievement Award: The Outstanding Student in Contract Law
- Fred K. Newberry Scholarship for Excellence in Corporate and Property Law
- UT Law Supreme Court Clinic

## *Clerkships*

Honorable Edith H. Jones, United States Court of Appeals for the Fifth Circuit

## *Education*

**The University of Texas School of Law** (J.D., with High Honors)

**The University of Arizona** (B.A., History, magna cum laude)

## *Admissions*

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### **Bar Admissions**

- Texas
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### **Court Admissions**

- U.S. Court of Appeals for the Fifth Circuit
- U.S. District Court for the Eastern District of Texas
- U.S. District Court for the Western District of Texas
- U.S. District Court for the Southern District of Texas

## *Wins*

Susman Godfrey Wins \$706.2 Million Jury Verdict for Client HouseCanary Against Quicken Loans Affiliate Title Source Inc.

## *Leadership & Professional Memberships*

- Committee Member of the ABA Business Law Section's Dispute Resolution Committee; CLE Subcommittee