



## Stephen D. Susman Partner

Houston  
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### Overview

STEPHEN D. SUSMAN, P.C., born Houston, Texas; admitted to Bars of Texas, District of Columbia, New York, and Colorado.

Recognized as one of the most successful plaintiff's attorneys in the United States, Stephen Susman has built an unparalleled history of legal victory on an extremely straightforward idea — he gets paid for results not effort. Although his career can be measured in many ways — the dozens of professional awards he has received, the very successful firm he has built, his remarkable record of winning very high-profile cases, working for plaintiffs against an array of large corporate interests, his defense work for select corporate and individual clients, it can all be traced back to Susman's deep-rooted belief that his compensation should come from getting results.

Honored as one of the nation's Top 10 litigators the *The National Law Journal* (June 5, 2006) issue, Susman is among a highly select group to have been included Chambers USA for over 10 years in The Best Lawyers in America for over 25 years. *The Business Insider*, Law Review (January 20, 2010 issue), named him one of the eleven lawyers you definitely do not want to see across the aisle. Jury consultant, Don Vinson, in his book *America's Top Trial Lawyers*, ranks Susman among the 14 best trial lawyers in the United States and International Commercial Litigation's worldwide annual poll of lawyers ranked Susman as the Litigator of the Year and then top litigator in the United States in two separate years. [Click here to see [articles](#), [references](#), [list of trials](#), or [letters of recommendation](#) from clients.]

Recognized by clients and peers as being among the top 483 litigators of the world, Susman has appeared again on The International Who's Who of Lawyers 2012 list (Law Business Research Ltd.). Susman has been consistently hailed as one of the Top 10 lawyers in Texas (2003-2013) by Texas Super Lawyers (Thompson Reuters).

Susman first established his national reputation when he won a landmark victory as a plaintiff's attorney in 1980 with an award of more than \$550 million to victims of a nationwide price-fixing conspiracy, the largest jury verdict of its time. Throughout his career he has represented both plaintiffs and defendants ranging from Northrop in its suit against McDonnell Douglas over the F-18 jet fighter, House Speaker Jim Wright in his ethics battle, the Hunt brothers in the largest lender liability case in history, and the state of Arkansas in a milk price-fixing case.

A native Houstonian from a highly respected family of lawyers, Susman worked his way through Yale University, graduating magna cum laude. Returning to his home state and the University of Texas Law

School, he was Editor-in-Chief of the Law Review and graduated first in his class, with the highest grade point average in the school's history.

After serving as law clerk to The Honorable John R. Brown of the Fifth Circuit Court of appeals, Susman clerked for the United States Supreme Court Justice Hugo Black. A biography of Justice Black revealed that Susman was the first law clerk whom Black trusted to draft opinions for him. In his early career path, Susman joined a large Houston firm and became a partner, took a year's leave of absence to teach law at the University of Texas, and hit on the magic niche that led to a new style of law practice representing plaintiffs in complex commercial disputes. In 1980, he founded Susman Godfrey, the first firm in this part of the country to limit its specialty to commercial litigation. Susman Godfrey has 90 lawyers in Houston, Dallas, Seattle, Los Angeles, and New York. In 2005, the firm was chosen by the American Lawyer as one of the top two litigation boutiques in the country.

Over the years, Susman has continued to be recognized in many different ways. He was among four of the best trial lawyers in the country selected to compete in the "Best of the Best Shoot-Out" at the Litigation Section of the American Bar Association's annual meeting. After final arguments by each top lawyer, the 30 person jury voted unanimously for Susman as the most persuasive.

Susman was featured in John Jenkins' best seller, *The Litigators*, and *Texas Lawyer* placed him among the ten "whose actions had the greatest impact on the Texas legal profession from 1985 to 1995." *Business Week* has called him "a lion of the Texas Bar"; *Town & Country*, "the Houston courtroom gladiator best known nationally"; the *Houston Business Journal*, "the reigning prince of Houston business litigators."

Although the stakes are high and the challenges immense in his private practice, that doesn't stop Susman from tirelessly pursuing issues of justice and reform. Teaching lawyers around the world effective advocacy, instituting reforms in the civil justice system, improving jury comprehension, streamlining class actions, and promoting efficient trials are top priorities in his dedication to law. He is known for the Susman Agreements promoted by his website [TrialbyAgreement.com](http://TrialbyAgreement.com). A board-certified civil trial specialist, Susman serves on the national board of the American Board of Trial Advocates and is co-chair of its Jury Trial Committee. He is on the Advisory Board of the Center of Civil Justice at NYU Law School, the Federal Judicial Evaluation Committee and co-chair of the Judicial Nominations Task Force of the American Constitution Society. He also serves as co-chair of the Aspen Institute's Justice Circle. [Click [here](#) and [here](#) to view articles describing Steve's latest project with NYU.] Susman was profiled by *The Brunswick Review* in 2016 where he discussed the media and the benefit of challenging conventional wisdom. You can read that article [here](#).

## Education

- University of Texas (J.D., with highest honors)
- Yale University (B.A., *magna cum laude*)

## Clerkship

Law Clerk to Justice Hugo L. Black, United States Supreme Court

Law Clerk to The Honorable John R. Brown, United States Court of Appeals, Fifth Circuit

## Honors and Distinctions

- Texas Association of Civil Trial and Appellate Specialist's 2010 Lifetime Achievement Award
- Benchmark Litigation – National Litigation Star, 2015
- Benchmark Litigation – Top 100 Trial Lawyers in America, 2014
- Benchmark Litigation – America's Leading Litigation Attorneys, 2009 – 2014
- Best Lawyers in America (Woodward White Inc.) – Commercial Litigation, 1983 – 2020
- Best Lawyers in America (Woodward White Inc.) – Bet-Company and Antitrust, 2006 – 2020
- Best Lawyers in America (Woodward White Inc.) – Litigation: Antitrust, Environmental, IP, Patent, 2011 – 2020
- Best Lawyers in America (Woodward White Inc.) – Lawyer of the Year: Litigation: Antitrust/Houston, 2012
- Lawdragon – 500 Leading Lawyers in America, 2005 – 2013
- Chambers Global – Leaders in Their Field, 2015
- Chambers Global – Trial Lawyers, 2006 – 2013
- Chambers USA – Nationwide Trial Lawyers, 2009 – 2018
- Chambers USA – Nationwide Antitrust: Plaintiffs, 2015-2018
- Chambers USA – Texas: IP, 2007 – 2018
- Chambers USA – Texas – Antitrust, 2003 – 2018;
- Chambers USA – Texas -General Commercial Litigation, 2003 – 2018
- Expert Guides: Best of the Best USA – Top Thirty Litigation Attorneys in the United States, 2013
- Law 360 – Titan of the Plaintiffs Bar, 2014
- Legal 500 – Litigation: Mass tort and class action: plaintiffs representation: Antitrust, 2007 – 2013
- Legal Media Group's Expert Guides – Litigation, 1997, 1999, 2000, 2003, 2005-6, 2008, 2010, 2012
- Legal Media Group's Expert Guides – Competition and Antitrust, 1996 – 2012
- Legal Media Group's Expert Guides – Best of the Best USA, 2006, 2008-9, 2011, 2013
- National Law Journal – Litigation Trailblazers & Pioneers, 2014
- Super Lawyers – Business Litigation 2015 – 2018, Top 100 Lawyers in Houston (Thomson Reuters)
- Super Lawyers – Business and Transactions, Construction, Real Estate, Environmental, Employment, IP, and Litigation, 2014 (Thomson Reuters)
- Texas Super Lawyers – Antitrust, Business and IP Litigation, 2003 – 2018 (Thomson Reuters)
- Who's Who Legal – Commercial Litigation, 2000 – 2014 (Law Business Research Ltd.)
- Who's Who Legal – Among Top Ten Leading Litigators in the World, 2010 (Law Business Research Ltd.)
- Who's Who Legal – Texas, Commercial Litigation and Competition, 2007 – 2008 (Law Business Research Ltd.)
- Distinguished Counselor Award from the Antitrust and Business Litigation Section of the State Bar of Texas (2005)
- University of Texas School of Law Outstanding Alumnus 2001
- Board Certified, Civil Trial Law, Texas Board of Legal Specialization, 1978
- Editor: "ABA Civil Antitrust Jury Instructions" 1985

- Special Counsel to Attorney General of Texas, 1975
- Visiting Professor of Law, University of Texas, 1975
- Friars Society
- Fraternities: Phi Delta Phi; Order of the Coif; Chancellors, Grand Chancellor; Phi Kappa Phi

## Speeches

### 2014

November 19, 2014

PLI Trial by Jury, New York, NY

Topic: Mastering the Art of Cross-Examination

October 2, 2014

Gathering of the Bench & Bar, Boulder, CO

Panel Topic: Whither the Jury?: Confronting the Pressure and Opportunities for Jury Trials in the Modern Age

October 1, 2014

GOAL Global Litigation Conference, New York, NY

Panel Topic: Creating Smart Litigation Strategies: Panel Discussion

August 9, 2014

CTLA Convention, Snowmass, CO

Trial by Agreement: How Lawyers Hold the Key to Improving Jury Trials

August 7, 2014

ABA Annual Meeting, Boston, MA

Topic: Strategy and Tactics on Presenting Case Themes

May 29, 2014

COMBAR North American Meeting, Seville, Spain

Topic: Why Has it Been so Difficult for Victims of Financial Wrongdoing to Obtain Redress?

April 9, 2014

Center on Civil Justice, New York, NY

Panel Topic: The Jury Trial is Dying, Should we Mourn its Demise?

March 26, 2014

ABA Antitrust Law Spring Meeting, Washington, DC

Panel Topic: Getting Jury Instructions Right in Civil Antitrust Cases

March 10, 2014

ACS, Access to Justice Luncheon, New York, NY

Topic: Saving Jury Trials

March 4, 2014

HBA Federal Practice Section Luncheon, Houston, TX

Topic: Pros and Cons of Federal Practice

January 30, 2014  
Columbia Law School  
Topic: "How Susman Godfrey Reduces Risk"

*Susman detailed how his firm reduces risk through careful and thorough case evaluation, negotiating fee agreements, and handling cases to minimize depreciation and risk. [Click here to read full text.](#)*

## **2013**

November 20, 2013  
PLI Trial by Jury, New York, NY  
Topic: Mastering the Art of Cross-Examination

October 25, 2013  
University of Texas School of Law Civil Litigation Conference, Austin, TX  
Topic: Trial by Agreement: How Trial Lawyers Hold the Key to Improving Jury Trials in Civil Cases

October 15, 2013  
City Bar CLE, New York, NY  
Topic: Tips and Techniques for Conducting Voir Dire and Exercising Challenges; Common Mistakes

July 22, 2013  
AAJ Annual Convention, San Francisco, CA  
Topic: Get on the Bandwagon - How to Make Arbitration a Practice Specialty

June 7, 2013  
American Law Institute Forum, Philadelphia, PA  
Panel Topic: The Changing Landscape of Class Actions and Aggregate Litigation

May 10, 2013  
Dallas Bar, Trial Skills Section, luncheon, Dallas, TX  
Topic: Cooperative Trial Advocacy: An Alternative to Arbitration

## **2012**

November 28, 2012  
PLI Trial by Jury, New York, NY  
Topic: Killer Cross - Yours and Theirs

November 27, 2012  
The University of Pennsylvania Law School Center on Professionalism, Philadelphia, PA  
Topic: The Joy of Lawyering: Partnership Agreements, Fee Agreements with Clients and Pretrial Agreements with Opposing Counsel

October 17, 2012  
ACS Chapter at the University of Montana School of Law, Missoula, MT  
Panel Topic: Tort Reform

October 2, 2012  
International Bar Association Conference, Dublin, Ireland  
Topic: World Wide Price Fixing

September 21, 2012

Institute for the Advancement of the American Legal System – Third Civil Justice Reform Summit,  
Denver, CO

Panel Topic: A Return to Trials: The Rise of Expedited Trial Programs in State and Federal Courts

September 20, 2012

Federal Bar Association Local Rules Committee and the WDVA Lawyer Representatives to the Ninth Circuit  
Judicial Conference, Seattle, WA

Topic: Trial by Agreement and the Local Rules

January 10, 2012

ABA, Section of Litigation

Topic: Trial by Agreement, CLE Webinar

## **2011**

November 30, 2011

PLI Trial by Jury, New York, NY

Topic: Closing Arguments

October 27, 2011

NYSBA 4<sup>th</sup> Corporate Counsel Institute, New York, NY

Topic: What to do When a Claim Comes in: How to Avoid Litigation and What to do if you Can't

October 3, 2011

Yale Law School, New Haven, CT

Panel Topic: Future of Climate Change Nuisance Litigation

May 5, 2011

ABA Antitrust & Consumer Law Issues in the Energy Industry, Houston, TX

Panel Topic: Current Jury Attitudes in Energy Litigation

Paper Topic: Procedures for Mock Trials

April 7, 2011

13th Annual Sedona Conference on Complex Litigation, Del Mar, CA

Panel Topic: Uniformity in Rules Practice Between State Courts and the Federal  
System/Trans-Substantivity

Feb. 24, 2011

Federal Bar Council Winter Conference, Cabo San Lucas

Panel Topic: Costs of Litigation/Future of the Legal Profession

Paper: Pre-Trial Agreements

Feb. 15, 2011

Rice University, Environmental Law Class

Topic: Global Warming Litigation

Feb. 8, 2011

PLI Program on Federal Civil Practice, New York, NY

Topic: The Last Thirty Days Before Trial

Feb. 8, 2011

ACS Federal Courts, Inc?  
Roundtable Conversation on Corporate Influence and the Courts

Feb. 5, 2011  
AAJ Winter Convention, Miami, FL  
Topic: Piercing the Corporate Veil

Jan. 12, 2011  
HBA Historical Committee Interview, Houston, TX

Jan. 12, 2011  
ABA, Section of Litigation, Distance CLE Teleconference  
Topic: "Killer Cross — Your's and Their's"

Jan. 11, 2011  
Dallas Bar, Business Law Section, luncheon, Dallas, TX  
Topic: "Trial by Agreement — How to Reduce Stress and Improve Results Through Cooperation", Pretrial and Trial Agreement presented.

Jan. 6, 2011  
Harris County Democratic Lawyers Lunch Program, Houston, TX  
Topic: "Reducing the Burdens and Expenses of Litigation"

## **2010**

Nov. 22, 2010  
NY City Bar, City Bar Center for CLE, New York, NY  
Topic: "The How-To of Effective and Cost Effective Discovery"

Oct. 22, 2010  
ACI National Forum on Reducing Legal Costs, Philadelphia, PA  
Panel topic: "The View from Outside Counsel: Law Firm Managing and Founding Partners Speak out on How to Control Costs, Increase Value, and Improve Satisfaction for Clients" (no paper)

Aug. 6, 2010  
ABA Annual Meeting, San Francisco, CA  
Subject: "Litigation in the Internet Age"

July 21-23, 2010  
State Bar of Texas Advanced Civil Trial Course, San Antonio, TX  
Subject: "Limiting the Length of Trials — the Shorter the Better"  
Trying a Complex Lawsuit Panel

July 9-10, 2010  
ABA LITT Program, Chicago  
Subject: Demonstration of Closing Arguments

June 3-5, 2010  
The Commercial Bar Association North American Meeting in Lisbon  
Subject: Moot Panel

June 3-5, 2010

The Commercial Bar Association North American Meeting in Lisbon

Subject: Moot Panel

July 9-10, 2010

ABA LITT Program, Chicago

Subject: Demonstration of Closing Arguments

July 21-23, 2010

State Bar of Texas Advanced Civil Trial Course, San Antonio, TX

Subject: "Trying a Complex Lawsuit" Panel

May 10, 2010

The Advisory Committee on Civil Rules Conference at Duke University School of Law

Subject: "Issues with the Current State of Discovery: Is there really Discovery, and, if so, What are the possible Solutions" Panel Discussion

April 9, 2010

Corpus Christi Bar Association Advanced Civil Trial Law Seminar

Subject: Efficiently Preparing a Case for Trial

April 6, 2010

PricewaterhouseCoopers Securities Litigation Study Briefing, New York, NY

Panel Discussion

January 12, 2010

ABA Distance CLE Program via Teleconference

Subject: Efficiently Preparing a Case for Trial

## **2009**

December 8, 2009

The Attorney General's Distinguished Speakers Series, Austin, TX

Subject: Trial by Agreement: Removing the Stress and Expense of Fighting with Opposing Counsel

December 2, 2009

PLI Trial by Jury, New York, NY

Subject: Closing Arguments

November 20, 2009

ACI Reducing Legal Costs Program, Philadelphia, PA

Subject: Reducing Discovery Costs/A Focus on Litigation & E-Discovery Costs Panel

November 6, 2009

Associate Training, Houston via Teleconference

Subject: Keeping Clients Happy

October 29, 2009

UIA Congress — Seville

Subject: Litigation Commission Panel

October 17, 2009



Global Justice Forum, Columbia Law School  
Subject: Competition Panel

September 17, 2009  
TACTAS Meeting, Houston, TX  
Subject: How to get along with opposing counsel

September 12, 2009  
Susman Godfrey Retreat/Attorney Training  
Subject: Lessons Learned from Casey and Examples of Good/Bad PowerPoints

July 30, 2009  
ABA Annual Meeting, Chicago, IL  
Subject: Trial Objection Panel

July 29, 2009  
Texas State Bar Association's Advanced Civil Trial Course, San Antonio, TX  
Subject: The Financial Crisis: A Tide of Litigation

July 23, 2009  
Texas State Bar Association's Patent Litigation in Texas — 2009 and Beyond, Lake Tahoe, NV  
Subject: Using Mock Trials to Aid Jury Selection in Patent Infringement Cases

June 19, 2009  
American Constitution Society Conference, Washington, DC  
Subject: Panel on Environmental Litigation

May 1, 2009  
ABA Section of Litigation Annual Conference, Atlanta, GA  
Subject: Panel on "So What Do I Do Now?" Ethical Dilemmas in Accepting an Engagement and Working Up a Case

April 30, 2009  
Kansas City Metropolitan Bar Association Bench Bar Conference  
Subject: Tackling the Super Case

April 15, 2009  
Susman Godfrey Attorney Training  
Subject: Beauty Contests

April 8, 2009  
Susman Godfrey Attorney Training  
Subject: Ethics in Litigation

March 23, 2009  
NYU School of Law Seminar  
Subject: Global Warming Litigation with Losing Ground presentation

March 2, 2009  
Oregon State Winter Series on Global Climate Change, Corvallis, OR  
Subject: Global Warming Litigation with Losing Ground presentation

January 13, 2009  
Section of Litigation Teleconference  
Subject: Preparing Your Witness to Testify

## **2008**

December 12, 2008  
LyondellBasell Litigation Team Meeting, Houston  
Subject: Litigation Outlook for 2009

October 28, 2008  
ACC Legal Symposium, Houston, TX  
Subject: Managing Corporate Litigation

October 24, 2008  
New Mexico Section of Environment, Energy and Natural Resources, Albuquerque, NM  
Subject: Global Warming Litigation

October 23, 2008  
UT Insurance Law CLE, Austin, TX  
Subject: Global Warming Litigation

October 7, 2008  
Yale Center for Environmental Law & Policy, New Haven, CT  
Subject: Fighting Goliath: Texas Coal Wars and Global Warming Litigation

September 20, 2008  
Firm Retreat Beaver Creek, CO  
Subject: Closing Arguments

September 12, 2008  
PLI Program Jury Trials, New York, NY  
Subject: Closing Arguments

September 5, 2008  
UT Law School Alumni Luncheon Guest Speaker in Austin  
Subject: Joy of Lawyering

September 5, 2008  
Houston Renewable Energy Network Guest Speaker at Haynes & Boone, Houston  
Subject: Global Warming Litigation

July 10-11, 2008  
Faculty for Litigation Trial Training Seminar in Chicago "Closing Argument"

July 7, 2008  
IADC Annual Meeting, The Greenbrier, White Sulphur Springs, WV  
Subject: Global Warming Litigation

July 3, 2008  
Interview with Amy Goodman of Democracy Now! "Groundbreaking Lawsuit Accuses

## Big Oil of Conspiracy to Deceive Public About Climate Change”

March 17, 2008

Guest Speaker at Stanford Law School, Complex Litigation course  
Subject: Anatomy of a Global Warming Lawsuit

February 19, 2008

Guest Speaker at Texas Southern University Thurgood Marshall School of Law  
Environmental Law Society  
Subject: Anatomy of a Global Warming Lawsuit

January 16, 2008

Spoke at Susman Godfrey Firm Luncheon  
Subject: Business Development 101 & What We Learned in SKY v. Ariba

January 9, 2008

Spoke on panel at ABA Section of Litigation Teleconference  
Subject: Thirty Days Before Trial (cd)

## **2007**

November 2007

ABA Section of Antitrust Law Oral History (cd)

November 29, 2007

Spoke at ACI Climate Change Liability Conference in New Orleans Panel: Causation &  
Other Evidentiary Issues: Plaintiffs’ Arguments & Challenges vs. Defense Responses to Tort Claims  
SSUS Subject: Anatomy of a Global Warming Lawsuit

October 19, 2007

Spoke at UT Law’s Teaching the Teachers: Effective Instruction in Legal Research-Panel (From the  
Courthouse to the Classroom) with Judge Atlas, Joe Jamail, & Harry Reasoner.  
SSUS Subject: Why use visual aids at trial

August 2, 2007

Spoke on Climate Change — Scientific, Legal & Policy panel at Texas Environmental Superconference in  
Austin  
Subject: Anatomy of a Global Warming Lawsuit

July 11-13, 2007

Faculty for the Litigation Trial Training Seminar at DePaul University, Chicago

June 30, 2007

Spoke on “Going Green” panel at NASABA Convention in San Francisco  
Subject: Anatomy of a Global Warming Lawsuit

May 24, 2007

Spoke at UT School of Law 20th Annual Technology & Computer Law Conference  
Subject: Fee Agreements in Technology Litigation

March 1, 2007

Spoke at Glasser “Successful Law Firm Expansion in NY” Symposium

Subject: Firm Profitability & Opening a NYC Office

February 27, 2007

BNA Audioconference Panel/Speech  
"Public Nuisance"

February 26, 2007

Unable to Attend — SMU IP Symposium  
Subject: Future of Patent Cases

February 24, 2007

Spoke at Stanford Law School  
Subject Climate Change Litigation

February 6, 2007

Spoke at UH Law Center  
Subject: Why Corporate Defendants Lose Lawsuits

January 26, 2007

Spoke on panel at DRI Corporate Counsel Roundtable, New York, NY  
Subject: Why Corporate Defendants Lose Lawsuits

January 10, 2007

Spoke at HBA Environmental Law Section, Houston, TX  
Subject: Climate Change Litigation

## Trials/Appeals

[Click here for information on trials.](#)

## Professional Associations and Memberships

- Member, Bentham Advisory Panel
- Member, Warren Burger Society
- The New York Intellectual Property Law Association
- Houston Intellectual Property Law Association
- American Intellectual Property Law Association
- The University of Texas Law School Foundation Board
- University of Houston Law Foundation Board
- American Board of Trial Advocates National Board
- Director of Texas Association of Civil Trial and Appellate Specialists
- Trustee, U.S. Supreme Court Historical Society
- Advisory Board, University of Texas School of Law's Review of Litigation
- American Law Institute
- Colorado Bar Association
- New York State Bar Association, City of New York Bar Association

- Board of National Tort Museum
- Board of Modern Courts
- Board, Center on Civil Justice of NYU School of Law

## **CIVIC AFFILIATIONS**

- Trustee, Yale University Art Gallery
- MD Anderson University Cancer Foundation Board of Visitors
- The University of Texas Health Science Center Development Board
- The University of Texas Development Board
- Leadership Council of the Yale School of Forestry & Environmental Studies
- National Eagle Scout Association

## **Notable Representation**

### **AL BRAYTON**

December 29, 2011

Although I was generally familiar with Steve and Susman Godfrey through my involvement with major litigation, and their general reputation for excellence in the legal community, I did not meet Steve and his team until my involvement with the Chrysler bankruptcy.

In Chrysler, I served initially as co-chair of the Unsecured Creditors Committee, and was then appointed as Litigation Manager for the estate in their action against Daimler. In that capacity, I interviewed several firms interested in representing Chrysler in this billion dollar litigation, and although there were several quality presentations, it was clear that Susman Godfrey was the best choice in terms of their ability to quickly grasp the intricacies of what was a very complicated commercial scenario involving over forty different transactions, and to propose a comprehensive litigation plan within a relatively short period of time.

Once hired, I continued to work closely with the firm, reviewing all of their work, and participating in weekly conference calls that evaluated the status of all aspects of the case and set milestones as the case progressed. Throughout the case, I was impressed by the skill and insight demonstrated by all members of the litigation team working on the case, the quality of the work produced, and their ability to effectively manage litigation that could have quickly become unwieldy.

I also attended all of the court hearings associated with the case, and had the opportunity to participate in preparation for the hearings, and to observe oral argument. The excellence they had demonstrated throughout the case was similarly reflected in their performance in court. If you are looking for a bright, innovative and hard-working litigation team to handle major litigation, I would give Susman Godfrey my unqualified recommendation. It has been a pleasure working with them.

### **Al Brayton**

Managing Partner

**ALAN N. GREENSPAN**

November 29, 2011

To whom it may concern:

When Steve Susman and Stephen Shackelford showed up to our arbitration, it was obvious that we had picked the right lawyers. Both of them had spent the weeks leading up to the trial tirelessly preparing themselves and us. They both knew the case inside and out, and had anticipated every eventuality. Steve Susman's cross-examination of the primary adverse witness was masterful. We don't have a result yet, but win or lose, I am sure that Steve Susman gave us the very best opportunity to win. We are very pleased and certainly understand why Steve is considered one of the finest trial lawyers in the country.

**Alan N. Greenspan**

Executive Vice President and General Counsel  
Glazer's Inc.

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**GREGORY HANDSCHUH**

February 28, 2009

To Whom it may concern

I want to take this opportunity to give my strongest recommendations for the law firm of Susman Godfrey.

My name is Gregory Handschuh and I was previously senior vice president and general counsel for Platform Solutions Inc. and prior to that, vice president and general counsel for Amdahl Corporation from which Platform Solutions had been spun. Platform Solutions was a small start-up company that found itself in major patent and antitrust litigation with IBM. This was, in every sense of the word, "bet your company" litigation. PSI was fortunate enough to have retained Susman Godfrey as its lead counsel. Working with Steve Susman and the firm's other lawyers in New York and Los Angeles, PSI was able to craft both a defense as well as assert counterclaims which ultimately enabled a settlement of the law suit. I was most impressed, not only with the firm's ability to grasp the technical issues that were unique to the case, but also to effectively manage the related administrative complexities associated with document identification and production and the retention of experts related to a patent and antitrust case, and also to coordinate and manage the efforts of a subsidiary law firm brought in to assist with the case. In addition, as a start up, PSI's ability to financially sustain the burden of litigation at a time when its normal business operations were on hold was under constant and extreme stress. We were fortunate enough to be working with a firm that was flexible enough in its billing and fee arrangements to enable us to sustain this burden without compromising the defense and prosecution of the law suit.

I unhesitatingly recommend Susman Godfrey to anyone faced with the prospect of major litigation. Susman Godfrey is a first rate law firm with first rate lawyers.

**Gregory Handschuh**

Greg.handschuh@gmail.com  
(408) 426-0378

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**FRANK GOLDBERG**

February 27, 2009

I want to repeat myself. Win, loose, or draw, I want to thank you and your firm for a magnificent job. The work you did the way you did it, the way you managed the effort, was as good as it gets. In the courtroom, it was a total mismatch.

Steve, my Dad is smiling.

**Frank**

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**RUSSELL M. FRANKEL**

February 21, 2008

When legal expertise including litigation is needed to solve a problem, I strongly recommend the firm of Susman Godfrey LLP. The firm recently represented me in a dispute involving complex contractual, legal and financial issues. Instead of taking years to conclude, Susman Godfrey helped me to achieve a settlement that exceeded all my goals and did it in a timely manner. Furthermore, both parties resolved their conflicts in a civil and respectful manner.

Susman Godfrey's expertise and professionalism were critical to the outcome. Legal and economic issues were quickly grasped, analyzed and understood by the litigation team. Emotions were diffused. My needs were handled promptly and supportively. As closure approached, the firm's assessments and recommendations were clear, and I was well advised by the firm in making good decisions for me. My confidence in the team never wavered.

Litigation is never pleasant. However, should it become necessary, I am certain Susman Godfrey will provide the very best representation possible.

Sincerely,

**Russell M. Frankel**

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STUDIO LEGALE  
BONAITI ASSOCIATI  
23900 LECCO (ITALY) — VIA LEONARDO DA VINCI, 15

Avv. Alberto Bonaiti AC/ac Lecco, 12 December 2006  
Avv. Antonio Corti Avv. Silvia Braga  
Avv. Daniele Baccomo

Avv. Falvia Cognola  
Avv. Christian Malighetti  
Dott. Angelo Di Santo  
Dott. Elisabetta Pozzi  
Dott. Fabio Tucci  
Dott. Andrea Sala

Mr. Eric MAYER  
c/o  
SUSMAN GODFREY L.L.P,  
Attorneys at Law  
Suite 5100  
1000 Louisiana  
Houston, TX 77002-5096

A client of our (Italian) law firm, had been sued in Houston, Texas, in a very important ex parte proceeding, leaving us really short time to find counsel there and to plan a defensive strategy.

We heard of the high reputation of Susman and Godfrey LLP, Houston, TX, and so we did contact partner Mr. Eric Mayer, for his experience in unfair competition issues and, particularly, in litigation.

We immediately perceived that it was a good choice.

We established from the beginning a very frank and friendly working relationship with him, and we had a huge personal support and a very high professional counseling.

In fact, in spite of the great geographic distance, we have been in a position to work with him at a high pace and with effectiveness.

Professionally, it has been a privilege to work with him and we will certainly advise Mr Mayer for any litigation issues.

Yours truly,  
Avvocato Antonio Corti  
Partner of  
Studio Legale Bonaiti e Associati — Lecco (Italy) TEL. (+39) 0341/363448 FAX (+39) 0341/285545 e-mail:  
avv\_bonaiti@hotmail.com  
C.F. E PARTITA IVA 02665890139

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October 26, 2006

Katherine Treistman has represented my company on several matters, and I have been impressed by her practicality, effectiveness, and smarts. She is easy to work with and efficient in the use and management of both firm talent (associates) and local counsel. Unlike lots of so-called "litigators" who are too risk averse to actually try a case, Katherine is at ease in the courtroom, and has the well-honed litigation skills to back us up in a fight if we need it. She is a winner.

**Jill Simeone**

CEMEX  
General Counsel, North America  
590 Madison Avenue  
41st. Floor New York,  
NY 10022  
Tel: (212) 317-6000 Fax: (212) 317-6047

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25 April 2006



To Whom It May Concern:

Since 2001, Equitas has assigned 6 major litigation matters to Susman Godfrey. With one exception, they are all successfully resolved. In no case was a trial necessary. That was a bit of a disappointment to the SG lawyers. They love to try cases. That is precisely why they did not have to.

The retention of Susman Godfrey sends an unmistakable signal that the principles in dispute are important and worthy of the most vigorous advocacy. Counterparties understand that when SG is retained, it is no longer business as usual.

I mentioned that there was one matter that was not resolved. It is still pending and I have every confidence in SG's ability to bring it to a successful conclusion. That case will likely be the only one of the six that proceeds to trial. We are entirely comfortable with the possibility that SG may need to defend our rights in the courtroom. After all, that is exactly why we hired them.

Yours sincerely,  
**Glenn E. Brace**  
Claims Director  
Equitas Limited  
33 St Mary Axe  
London  
EC3A 8LL

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13 April 2006

Steve Susman, Esq.  
Susman Godfrey  
1000 Louisiana,  
Suite 5100  
Houston TX  
77002-5096

Dear Steve:

Thank you and Susman Godfrey for all you have accomplished in Sky Technologies v. IBM.

IBM has the largest patent portfolio and is the most powerful company in the technology industry. They are the acknowledged masters of intellectual property, they have virtually unlimited resources, and they don't lose infringement and misappropriation cases. It is truly a noteworthy accomplishment that Susman Godfrey has beat them at their own game.

Of course, their licensing my technology and inventions is a wonderful vindication for me personally. Beyond that, the outcome of this case sends a loud and clear message that intellectual property for software, even in the hands of a sole inventor, cannot be ignored without serious consequences. Every inventor endures years of struggle and sacrifice, holding on to the belief that all the hard work will make a difference. You deserve not only my gratitude for this victory, but also the thanks of all software entrepreneurs and inventors for shifting the balance of power for software innovation so noticeably.

I also want to acknowledge the dedication and professionalism of your colleagues, especially Max Tribble, Brian Melton, Lexie White and Cyndi Casseaux. They faced a steady onslaught from IBM, and not only held their own, but also consistently pushed the line in our favor. Aside from their incredibly hard work and impressive brilliance in the legal aspects of the case, they also showed admirable curiosity and

perseverance in the technical aspects of software. I could not thank them adequately without also acknowledging their patience, diplomacy and good humor in respecting my inventor's perspective on the world.

Thank you for taking this case in the face of daunting historical odds, and for helping so much to validate my work. I look forward to working with you in the future.

Best Regards,

**Jeff Conklin**

SKY TECHNOLOGIES  
398 Columbus Avenue,  
Suite 292  
Boston, MA  
02116-6008  
617-267-4901

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November 3, 2004

Stephen D. Susman, Esq.  
Susman Godfrey LLP  
1000 Louisiana  
Suite 5100  
Houston TX  
77002

Dear Steve,

I would like to congratulate you and your staff for the excellent work done in our cases and express our appreciation of your outstanding representation.

You law firm demonstrated a high degree of professionalism and skill, not to mention an exceptional talent for the law. One seldom sees such a radiant personality and vibrant intelligence encased in a small group of litigators. Our cases were conducted in a persuasive and artful manner. It was pleasure having Susman Godfrey as our counsel.

We wish you all the best.

Sincerely,

**José G. Díaz Tejera**

Assistant Secretary of Justice  
Commonwealth of Puerto Rico  
Department of Justice  
Office of Monopolistic Affairs  
Box 9020192  
San Juan,  
Puerto Rico  
00902-0192

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November 3, 2004

Via Fax: 713-654-3351

Stephen D. Susman, Esq.  
Susman Godfrey LLP  
1000 Louisiana  
Suite 5100  
Houston TX  
77002

Dear Steve,  
Toronto Dominion (Texas), Inc. et al.  
vs. PricewaterhouseCoopers, LLP

We look forward to working with you to implement the Memorandum of Understanding, but I wanted to take a moment to say "Thank You" for what you have already achieved. Our sincere thanks to you, and to Marc Seltzer, Larry Vincent, Katherine Treistman, and your other attorneys and staff for achieving a very good outcome for all of the plaintiffs in the PwC litigation.

Frankly, all of the plaintiffs were looking forward to the trial. We would truly have enjoyed watching you and your team in the court, and I think we stood to potentially achieve a solid win over PwC. Nonetheless, with a surprisingly well-heeled jury panel and difficult reliance and other arguments for many of the plaintiffs, there was a wide range of possible outcomes and I think that everyone should be very happy with where we ended up. I believe that the settlement came very close to the maximum that PwC would ever be willing to pay without going to trial and was amazingly close to what you predicted almost two years ago.

We have all gained professionally from working with all of you and have personally very much enjoyed working with each of you. I'm not sure that we can ever see another litigation on the horizon, but if the opportunity presents itself we would both be pleased to work with you all again.

Thank you again and when your travels next bring you to New York, we would be most pleased to catch up.

Yours truly  
**Peter S. Spielman**  
18 Gardiner Street  
Darien CT 06820-5109  
Off Tel/Fax: 203.202.9035

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September 18, 2003

To Whom It May Concern:

I am pleased to enthusiastically recommend the services of Susman Godfrey LLP as legal counsel in connection with litigation matters. Steve Susman, Mark Wawro and their team of professionals and staff were extraordinary, particularly in the areas of trial preparation and organization, witness preparation and trial execution. We could not have been represented by a finer firm or by more qualified and capable attorneys.

Feel free to contact me at (404) 266-8333 if you desire a more comprehensive reference.

**Robert S. Prather, Jr.**  
President & CEO

Bull Run Corporation  
4370 Peachtree Road, N.E.  
Atlanta, Georgia  
30319-3099  
(404) 266-8333

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08/07/03

To Whom it May Concern:

I am grateful for the opportunity to write this letter recommending the law firm of Susman, Godfrey. Cavalry Investments, LLC retained Susman, Godfrey to represent Cavalry as plaintiff in a breach of contract case and to date has worked with them for a period of nearly two years culminating in a jury trial in July, 2003.

Susman's performance (and the jury award!) surpassed every expectation. Cavalry has been represented by some of the largest and best-known firms in the United States and none of them have provided the same levels of experience, skill, effort and results that we got from Susman, Godfrey.

I would recommend Susman, Godfrey without reservation to anyone who is interested in exceptional representation. Litigation does not always have a certain outcome but Susman, Godfrey's hard work, skill, and attention to every detail can tip the odds in your favor!

Sincerely,

**Alfred J. Brothers, Jr.**  
Sr. Executive Vice President  
(602) 667-0128

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October 12, 2001

Mr. Steve Susman  
Susman Godfrey  
1000 Louisiana  
Suite 5100  
Houston TX  
77002-5096

Dear Steve,

I am writing to you to thank you and your firm for representing Access Telecom in our anti-trust litigation against MCI Worldcom, SBC, and Telefonos de Mexico.

Your firm thoroughly proved its ability to take a piece of complicated international litigation from start to finish. At every moment during the process, I felt that I received insightful analysis from a set of incredibly efficient attorneys.

I have hired many firms to advise me of various aspects of the law. Susman Godfrey stands out as a firm where the well-known senior partners interact with the associates to create a fantastic team. While the firm may have built its reputation with the success of the senior members, I would gladly let any of the

firms associates represent my needs. They are superbly qualified.

I would gladly serve as a reference to any potential client that would like to speak with me.

Sincerely,

**Bradley Tirpak**

President  
1507 Rockmoor Ave.  
Austin, TX  
78703 917-482-8229

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May 29, 2001

To Whom It May Concern:

Hughes retained Steve Susman last year to defend the Company in a hotly contested, multi-billion dollar fraud arbitration before a panel of three arbitrators — a former United States Attorney General and two retired Federal Circuit Judges. The arbitration concluded last week. While we have no decision yet, this should not detract from my assessment of his and his associates' performance. They were magnificent.

Steve Susman combines an intensity of focus and purpose, great courtroom presence and the very best skills of an accomplished trial lawyer. He is up to date in his use of technology, which he also uses to keep the client informed at every stage of the proceedings.

Lawyering with Susman Godfrey is a most gratifying experience.

Sincerely,

**John J. Higgins**

Acting General Counsel  
HUGHES  
DIRECTV  
PanAmSat  
DIRECTV Latin America  
Hughes Network Systems  
P.O. Box 956,  
2000 N. Sepulveda Blvd.El  
Segundo, CA  
90245-0956

Phone: 310-662-9970

Fax: 301-322-1862

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March 1, 2001

Dear Trial Team:

Thanks to all of you for a job obviously well done.

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Harry & Steve: I thought the mediation went very well. You both did a great job. While I am gushing, I want to let you and all the trial team know that Harry did an exceptional job handling a tough project. After having worked this case since August 1996, I know just how tough our opposition can be. Steve, you have brought Harry along very well and your fatherly pride in his accomplishments as an attorney are well justified. Harry, I am amazed at the amount and quality of the work you produced during this case. Simply a great job!

Elizabeth & Frank: I also want particularly to thank Elizabeth, who has been our savior in getting the MSJ overturned at the 5th Circuit, and has provided key support since the remand. Finally, I want to thank my friend Frank Piez for his diligent work on the details of case management. Frank probably knows this case better than any of the rest of us. We three worked many long days and nights on this case. Thank you.

Regards,

**Clyde R. "Skip" McCormick**

Law Office of Clyde R. McCormick  
P. O. Box 790091  
San Antonio, TX  
78279-0091

Telephone: (210) 340-5630

Facsimile: (210) 340-5876

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March 1, 2001

I second everything Skip said — what a great effort. I am still shocked that they folded at mediation and I commend Brad and everyone for hanging in there for five years!

**Elizabeth Lindell**

Soules & Wallace  
Frost Bank Tower,  
Suite 1500  
100 West Houston Street  
San Antonio TX  
78205-1457

Telephone: (210) 299-5484

Telefax: (210) 224-7073

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December 15, 1999

Dear Steve, Neal, Trey, Erica, Harry, David, Mike, and Billy,

How do I begin? First, I must write to each of you. You are each one of you an independent, intelligent person and yet you all work together like some marvelous, high-powered machine. You had to be high-powered, very smart and have remarkable stamina to do what you did in four months when we had been in our case for almost seven years.

Steve, you said to me early on, "What you and your sister need is a gladiator to go to court and wage your war for you." And that is exactly what you did. When Judge Nichols, before the trial began, indeed at a

time when we thought we might never get to trial, allowed three of the opposing attorneys and only you, Steve, into his conference room, I became upset. I said, "Here we go again; they are going to bully us again." Immediately, Trey said to me, "Don't worry, Florence, having Steve in there is like having four guys representing you."

Trey, you must be some kind of financial genius. Not only because of how you prepared David Gaston for his several days on the stand — direct examination by you and cross-examined by Matty's attorneys — but you discovered many of Matty's convoluted financial schemes by which he was draining Centra and its related companies.

Your cross-examination of their "expert" witness was certainly a watershed toward the end of the trial. Harry, you were brilliant from the beginning. There wasn't a fact or law or rebuttal to be found that you didn't find. Your heart and soul were in the case. When the other side would be trying to pass one of their many lies to the judge and jury, you would be up on the feet waving a document for a law book or arguing the point yourself. You were there as I left the stand to correct, to counsel and to encourage.

You were so amazing, Mike. You knew the case so well. You knew which documents Steve, Neal, Trey or Harry needed before they asked. Several times you shocked the other side with documents — of their own — that they either didn't know existed or had forgotten about and hoped that everyone else had also. At every meal we shared, you and Billy participated in the battle discussions and the strategy that was planned.

Billy, I don't know when you slept. When Dick and I were turning out our light in the room at the Residence Inn, you and Mike were still working in the documents room across the hall. When we opened our door at 6:15 a.m., you and Mike were already there, packing up all those boxes and exhibits and loading them up for the trip to the courthouse. The Oakland County Courthouse powers-that-be should have given you both some kind of award for moving the whole case and setting up in so many different courtrooms. You gave us a lot of support, Billy, through the whole case, but especially during my time on the stand. It was great to have you smiling and handing me documents and cups of water while I was being questioned.

David, you are Steve's secret weapon. You are an organizational genius. Your overseeing of the Susman Godfrey "Road Show" — all the computers, electronic equipment, boxes of supplies, audio-visual machines, food, rooms, travel and all the other areas for which you were responsible — was done so well, and so cheerfully and thoughtfully.

We wish you could have stayed with us, Erica, through the whole trial. I was impressed by all your fine work leading up to and in the early part of the trial. We missed your insight, your thoroughness and that instinctive empathy that you had for my sister and me. You could understand the frustration and degradation that Victoria and I felt at the treatment we had received for so long.

Neal, you said we would work hard and we did. You said I would be ready for what I had to do and I was. You said you would do every thing to help me and you did. You said we would have fun and we did. You are an amazing attorney — but most of all — you are a wonderful husband, devoted father (I remember watching you as you listened so attentively to the speaker at the lecture about societal pressures on teenage girls) and a valued friend.

Steve and Neal, when we first met that Sunday this past May, I would not have believed that you could have accomplished what you did. From the day my father died in 1992, we had been in a legal battle that was eating up our lives and our resources. You believed in us and our cause. You moved to Pontiac, Michigan to help us in our fight for fairness and justice. You gave us our lives back. Thank you. May God bless you all and those whom you love.

Sincerely,  
**Florence McBrien**

66 Colonial Road  
Grosse Pointe Shores,  
Michigan  
48236

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26 June 1995

Dear Steve

This letter is written as a recommendation to anyone desirous of the best legal representation money can buy! As I've said to countless audiences worldwide in my Quantum Leap talks 'Litigation As a Business Tool', "any fee is too great for a loss and almost none is too great for a victory". You and your firm personify this axiom. You are an extremely bright and gifted lawyer. Your preparation was flawless! Your execution superb!

It's been twenty months since we pummeled the Philistines back into humiliation in Judge Ray's Court in Houston, Texas. I have had plenty of time to reflect on the merits of the case, lawyers moralities and principles involved. I write this letter being a battle tested litigant on both sides of the Atlantic who is used to winning at any cost. A CEO and individual that has sued or been sued over 200 times. A man that has been represented by purportedly the finest lawyers anywhere. This letter would be too long to mention more than a few law firms that have represented me over the last twenty years, i.e. Williams & Connolly, O'Melveny & Myers, Baker Botts and Richards Butler in the U.K.

Knowing you and your lovely wife Karen socially didn't affect our professional relationship one iota. You were crass when you had to be and almost delicate when you thought it absolutely necessary. You conducted yourself as a consummate professional at all times during the long and sometimes extremely difficult seven week trial. As you knew I was fighting not for merely the millions the jury verdict awarded me, but my financial net worth (if the nine figures that they sued for was awarded) and more importantly my financial reputation and integrity, which had no price.

As you may or may not know, I asked Cyrus Marter, your noble associate, on many occasions, are you sure Steve can get up to speed on such short notice? Your caseload was astronomical. I was amazed, even stunned at times, to see that you assimilated and thoroughly digested down to the most minuscule of detail everything of any importance. For this attention to detail I will always be in your debt. Of course, I paid you handsomely so I feel no guilt and certainly no obligation to write this letter. Again I paid for what I received — Unqualified victory!

The purpose of this letter is to unabashedly recommend you and your colleagues, Neal Manne and Cyrus Marter IV (also known as Skip).

Although much junior, let me address my admiration for Skip first and leave Neal Manne for last. After all Neal did close our case to the jury in a manner not unlike a Spencer Tracy Academy Award performance. As you know for months I set up camp in your Houston office. Without Skip's attention to detail and your office staff, I can't imagine what agony I would have gone through during our 18-month ordeal. Although I've called Skip the Columbo of Susman Godfrey, as you know I can't recommend Skip for early partnership status strongly enough. He is as fine a Senior Associate as I've ever encountered. He puts most partners at large law firms to shame. Skip represents the soul of your successful firm and without soul, your firm would have nothing! It is this soul that has brought me back again to thwart the jackals of Bank One. I look forward to crossing swords with the swine that assisted Great Western Resources, the company I founded, in ousting me as Chairman.

This letter could not be complete without Neal Manne, the self anointed Renaissance Man of Susman Godfrey. Though lacking in any humanitarian qualities, he possesses a gift that few lawyers really have. He



is able to transcend his personal feelings, or lack there of, for his client. He is able to perform in spite of what he thinks. And perhaps his greatest attribute is his ability to think on his feet and deliver with poignancy and overwhelming power the belief in the "rights of man" to a jury. Though Neal's personal manifestations suggest a different code, he overcame this to deliver a closing argument akin to Lord Lawrence Olivier in Hamlet. There was hardly a dry eye in the Courtroom. I'm sure my upcoming trilogy will quote Neal profusely.

Notwithstanding the flattery above, you as a team thought I had no chance to prevail. On Many occasions you all voiced this notion, as preposterous as I knew it was! And on a couple of occasions you wrote to make sure I knew I was paying and fighting probably for naught. And it is for this very reason that I decided to write this letter of the highest recommendation. You see, Steve, I will be fifty in a few weeks and after 20 months it has become clearer to me that when a set of lawyers fight their hearts out on a case that they believe has little or no chance this is the real measure of representation. At no time did you ever give up. When I told you I didn't care what you thought about my chances and we would fight to the death no matter what the cost to me, you merely dug down deep and persevered. It's only now I understand that you had reason for concern that you wouldn't get paid when the Court effectively tied up my assets in a constructive trust. Of course, as usual I was undaunted by the lack of money to pay you or anyone else and just went to the whip. During all this you, Neal and Skip fought on like crusaders being promised additional lands back home, but never being sure King Richard the Lionheart would survive to bequeath them to you or if there was any land to bequeath.

It is for these later reasons I write with the greatest conviction that anyone that wants the very best chance of winning in a courtroom shoot-out must hire Steve (Wyatt Earp) Susman, Neal (Doc Holiday) Manne and Skip (Virgil Earp) Marter as their advocates. Retaining any less is tantamount to a death wish! God's speed and I look forward to seeing you in Court!

To Your Quantum Leap.

Daniel S. Pena, Sr.  
Guthrie Castle  
By Forfar  
Angus  
DD8 2TP  
Telephone: Friockheim 0241 828691

P.S. I will miss your uncouth remarks at my 50th Birthday roasting in August.

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June 30, 1995

Dear Steve:

How do I begin to write a letter of recommendation? It is presumptuous of anyone as unfamiliar with the courtroom craft as I to address the matter with a mantle of authority.

I am, however, well acquainted with certain attributes, which it pleases me to address:  
Integrity — Steve Susman makes his promises, convictions, doubts and opinions very clear, unencumbered with legalese or the all too familiar cant of those seeking to avoid responsibility. He never fails to do what he says he will. And he does it on time.

Intellect — Steve Susman is possessed of an extraordinary legal mind, the strategic vision of a field marshal, and the instincts of a street fighter.

Passion — Steve Susman bristles with passion, and is able to articulate it with an admixture of rage and reason, compassion and cogency that makes me believe he must be related to Demosthenes.

Compatibility, Congeniality and Commitment — The Susman Family and the Benevento Family fought a war together back to back. During the final battle, we were entrapped in the bowels of lower Manhattan for nearly three weeks, taking on an enemy with unlimited resources. Karen was consistently at my side, with suggestions and encouragement. Our evenings always were together, often with Steve's daughter Stacy, his son Harry, and my son Frank. How proud we both were to see Harry and Frank sitting together in the courtroom, through good days and bad. Regardless of the outcome, we knew we had won what really counted.

My principal witness was a Wall Street investment banker from a world Steve Susman probably never knew, Old New York. They got along wonderfully. Indeed, my witness believes Steve Susman is the only lawyer to have in litigation period.

Steve's greatest challenge may have been that he took over my case after the "litigation" department of a major Wall Street firm had managed it for six years. As you might expect, egos were involved. Incredibly, I had learned only after years of seemingly endless and purposeless depositions and paper shuffling that my "litigators" had never been in a jury trial! Notwithstanding that, they relished the idea of getting their feet wet on a high profile case — my case. In retrospect, Susman's firm could have gotten me to the same place for a quarter the cost, would have chosen a better forum (my "litigators" had selected one that required a unanimous jury; I'm not kidding), and probably could have elicited a settlement years earlier.

Colleagues — Steve Susman was supported by his partner Neal Manne, who, if it is possible, is every bit as formidable as Steve. As did Karen Susman, Neal's wife Nancy McGregor traveled from Houston to provide support, spark, and occasional condolence. Indeed, if Neal has an equal at cross-examination, no one in the courtroom could recall such a person. Wendy McKnight was a legal assistant who was at all times the calmest and most organized and efficient person in the courtroom. During Steve's presentations, Wendy and he worked as Astaire and Rogers. Steve's improvisations were accomplished with seamlessly choreographed exhibits and graphics. I learned that the team of Susman, Manne and McKnight never has lost a case. I am sure that record will stand.

During my experience with Steve, I dubbed him the "Epitomal American". The foregoing comments hopefully explain why this moniker is so appropriate.

Yours sincerely,  
Frank A. Benevento II  
Benevento Financial Group Incorporated  
100 Worth Avenue  
Palm Beach,  
Florida  
33480

Telephone: (407) 820-8854  
Fax: (407) 820-8809  
Two Wisconsin Circle,  
Suite 870  
Chevy Chase,  
Maryland  
20815

Telephone: (301) 656-0881

June 1, 1992

Dear Steve:

Now that our trial with Whittaker has ended with a settlement offer which is very acceptable, I wanted to take this opportunity to express my deep appreciation to you and your associates for a superb effort.

The problems we experienced with the coating material we purchased through the years from the Whittaker Corporation we now know were caused by defective material and the cost to repair the damage to our customers furniture and woodwork and more importantly to our reputation was and is substantial — to the extent that in my judgment it threatened the future existence of our company. We originally engaged another large major law firm to pursue what I had anticipated to be a clear cut case of misrepresentation and violation of the Texas Deceptive Trade Practices Act. After more than a year I was shocked to learn that they did not believe we had even a chance of prevailing in a law suit much less obtaining an adequate settlement. I then contacted you and from the first day we met to discuss this case I have never regretted the decision to engage Susman Godfrey to represent us.

Your analyzation of the situation was penetrating and unambiguous, your firm's handling of the case was aggressive and efficient. The individuals with whom we have worked were among the most intelligent and industrious I have met. Eric Fryar and Ken McNeal were second to none in their meticulous and analyzation and preparation of our case and most important, your performance in the courtroom made the opposing attorneys appear unprepared and inept.

Should we again find ourselves in the circumstances where we will require representation in a lawsuit (hopefully this will not occur) there will be no question regarding whom we will choose to represent us. Many thanks again for helping me through a very difficult situation.

With best regards  
Very truly yours,

Raymond D. Brochstein  
President  
Brochsteins Inc.  
11530 Main Street  
Houston,  
Texas  
77025

713.666.2881

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April 3, 1991 (Our 74th Year)

Dear Steve:

Thank you for the request to share my thoughts on your handling of our suit against Enterprise Laredo Associates and others.

As you will recall, I called on you after the suit was filed. Our local counsel is well qualified, but with such high stakes, it made sense to seek out a firm with broad experience in business litigation. I interviewed

you at the suggestion of several business friends in Laredo.

The suit centered around the fact that, for some thirteen years, our landlord had overcharged the common area maintenance charges due under our shopping center lease. It was (and is) important to us, both because substantial money was involved and because of the basic principles at stake. After trial, of course, we received a judgment for treble damages, totaling over \$3.3 million.

The case is now on appeal, and we expect to keep winning. In the meantime, I am pleased to state that several facts have made a favorable impression on me:

- You worked well with our local counsel.
- You presented our case in understandable terms.
- You successfully argued what were obviously complex legal principles.
- You were well prepared.
- You won the respect of the court.
- You prevailed at trial.

Your successes in this trial will have immeasurable positive effects on our company for the next twenty years. This letter cannot express our satisfaction with the performance of yourself, your staff, and your office.

At the same time, I came to have a new friend in Houston.

Thank you.  
Cordially,  
HACHAR INDUSTRIES, INC.  
GEORGE L. HACHAR, SR.  
President  
P.O. BOX 1579  
CONVENT AT FARRAGUT  
LAREDO, TX

78042-1579  
512-723-9141  
FX 512-726-9900

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August 24, 1992

To Whom It May Concern:

Picker hired the Susman Godfrey law firm because of Steve Susman. We were then defendants in a lawsuit for over one year which had escalated to a \$1.5 billion antitrust allegation. We were concerned with the progress and proposed tactics of our long-term, outside legal counsel, one of the largest in the U.S. We sought the best antitrust attorneys in the U.S.; Steve was contacted and agreed to help us.

Susman Godfrey entered our case with slightly more than six months to trial date. In a short period of time, Steve and his team were able to assimilate technical and business history spanning ten years.

My first exposure to Steve Susman was in the middle of my sixteen-hour video deposition by the plaintiff's attorney. Until that time, our depositions had been guarded and tentative. Our original legal counsel had cautioned us and we behaved defensively and appeared unsure of our position. After Steve's involvement,

the tenor of my deposition as well as others' changed to a much more confident, aggressive stance. Steve's presence and guidance helped us understand and recognize the firm ground from the quicksand.

Because of personal involvement and business responsibility, I was Picker's corporate representative in federal court. During the five-week trial and one-week jury deliberation, I had the opportunity to work with Steve and his team in court and during the long evening hours of preparation. I observed first-hand the talent, leadership, organizational skills and unrelenting hard work which characterize this law firm.

The highlights of the trial were many, but three stand out and were, in my opinion, pivotal. The first was Steve's cross examination of the plaintiff's antitrust expert. He utterly destroyed the expert's credibility and testimony. The second element was Steve's preparation and effective, direct examination of Picker's expert. The third highlight was Steve's organization of complex testimony. The jury was able to understand and retain the relevant facts from over one thousand exhibits.

Steve's closing was very effective and consistent with his style extremely forceful in an understandable and more importantly, believable manner. The jury's verdict was very favorable for Picker. We were vindicated on all antitrust accounts.

I would not hesitate to use Susman Godfrey again if the need arose, or to recommend it as an outstanding firm.

Sincerely,

**William J. Webb**

Executive Vice President

Picker International, Inc.

595 Miner Road

Cleveland,

Ohio

44143

Telephone: (216) 473-5575

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March 21, 1991

TO WHOM IT MAY CONCERN:

Steve Susman and I first met in Houston, Texas, in December 1988 after my company had been served with a complex lawsuit by one of our ex-distributors claiming breach of contract, along with many other charges of a very serious nature. The amount of damages claimed was not specified, but it was abundantly clear that this was a multimillion dollar action.

At the time of our meeting, I was looking for the toughest, most successful trial lawyer in Texas, and following a few minutes of preliminary dialogue, I knew I had found my man in Steve Susman.

From that point in time, I put myself completely in his hands, because it was clear from the beginning that there could be only one team leader in this situation and that would be Susman. I never, at any time, during the following two years had occasion to regret or even question this decision. Steve took total responsibility and command of the situation and led us through an extremely grueling and tough two-year period involving numerous depositions and production of documents. Throughout this time I got to know Steve quite well, and my admiration for the quality of his work and his tenacity in seeking out the facts and the unadulterated truth just kept increasing.

However, it was during the actual trial that I truly observed the master at work. Steve handled every witness with great skill, extracting from them, sometimes under relentless pressure, good, solid, factual testimony. I saw the jurors follow his every move in that courtroom listening intently to his penetrating examination of the witnesses, both friendly and hostile. His final argument before the jury had them literally sitting on the edge of their seats, and I personally had to restrain myself from standing up to applaud.

Steve was with me—totally engrossed in this lawsuit from day one—sharing with me those agonizing days, hours and minutes watching anxiously for the jury to return their verdict. Neither of us ever lost faith in our case or each other throughout the entire two-year period, right up to the moment when we hugged each other with joy after the jury delivered an extremely favorable verdict for us, and to crown it all, it came on Saint Valentine’s Day, February 14, 1991.

To sum up, let me say this: If my company is ever again involved in a lawsuit of this significance, no matter where it is in North America, the first person I will call without hesitation is Steve Susman. You see, Steve is my kind of lawyer.

**H.J. Forrest**

Inter-City Products Corporation  
1136 HEIL-QUALKER BOULEVARD  
POST OFFICE BOX 3005  
LAVERGNE, TENNESSEE  
37086-1985

(615) 793-0450  
H.J. FORREST  
PRESIDENT

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November 20, 1992

TO WHOM IT MAY CONCERN:

Sunrise Systems, Inc. hired the Susman Godfrey law firm because of the outstanding reputation of Steve Susman, his colleagues, and the firm’s support organization. Each element performed up to, or exceeded the very high expectations we hoped for in this case. Although his partners Richard Drubel and Ophelia Camina had been involved in preparing the case for trial, Mr. Susman entered our case slightly more than one week before the trial date. In that short period of time, Steve was able to assimilate technical information involving the laptop computer at issue and business history spanning several years.

I was Sunrise’s corporate representative in the federal court trial. During the three-week trial, I had the opportunity to work with Steve and his team in court and during the long evening hours of preparation. I observed first-hand the talent, leadership, organizational skills and unrelenting hard work which characterize this law firm. Attention to detail is the underlying ingredient that made our position both understood and accepted by the jury.

The highlights of the trial were many, but three stand out and were, in my opinion, pivotal. The first was Steve’s cross-examination of the defendant’s lead witness. He utterly destroyed his credibility and testimony. The second element was Steve’s preparation and effective, direct examination of Sunrise’s lead witness. The third highlight was Steve’s closing argument. The jury was able to understand and retain the relevant facts from Steve’s summation of the three weeks of testimony and over one thousand exhibits. The jury themselves later commented that Steve’s closing had “put it together for them”.

The jury's verdict was very favorable for Sunrise. The jury found for Sunrise on both the breach of contract and breach of the duty of good faith and awarded Sunrise the entire amount of damages we requested, over \$13 million. We could not have reached his result without Steve Susman and his focused attention to detail, organization and effective presentation.

Sincerely,

**C. Jackson Pfeffer**  
THE MANAGEMENT TEAM  
12720 HILLCREST ROAD,  
SUITE 1020  
DALLAS, TEXAS  
75230

TELEPHONE: (214) 404-1586  
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February 19, 1997

Re: Samsung Electronics Co., Ltd. v. Texas Instruments

TO WHOM IT MAY CONCERN:

Not every lawsuit is won. Even those won do not always leave us winners. Be a winner. Hire Steve Susman.

Steve defended Texas Instruments in a lawsuit filed by the electronics giant Samsung in Fort Bend County, Texas. He won the lawsuit and made TI a winner. TI was a winner for two reasons. First, although Samsung sued TI for over \$600 million, it ended up losing that claim and agreeing to pay TI over \$1 billion. Secondly, the case was filed, litigated and tried before a jury in the space of only seven months.

The latter achievement I consider to be the more significant. The Susman Godfrey firm is a textbook example of efficient litigation. It is efficient because the firm has young aggressive lawyers who have been taught to waste no time on nonessential issues, unnecessary discovery disputes or procedural swamps. Faster is cheaper. While the firm's billing rates are as high as most other excellent firms, the overall cost was much lower than TI has experienced in other similar lawsuits.

If you have to try a case, why not enjoy the experience? Steve is a veteran trial lawyer whose energy level and enthusiasm for winning will not leave you chewing your nails at night. He is a delight to work with in the heat of battle, and has an awesome courtroom presence.

Very truly yours,

**Jay C. Johnson**  
Vice President Corporate Staff  
and General Litigation Counsel  
Texas Instruments Incorporated  
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