


Ryan Caughey, Bill Merrill, and Trey Peacock Named Texas Trailblazers by Texas Lawyer

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Houston Partners Ryan Caughey, Bill Merrill and Trey Peacock have been named 2020 Texas Trailblazers by *Texas Lawyer* in its second annual compilation of individuals who have made their mark on the Texas law practice and who are “sincere innovators and thought leaders.”

Ryan Caughey

Ryan Caughey has secured many hundreds of millions of dollars of recoveries in some of the nation’s most innovative lawsuits. For instance, Caughey recently secured a more-than \$300 million post-trial recovery for minority shareholders in a groundbreaking shareholder oppression lawsuit, and he has secured a nine-figure recovery in an antitrust lawsuit against News Corp. Caughey currently represents Veeva, a multibillion-dollar tech company, pursuing monopolization claims, he represents the nation’s largest retailer as a plaintiff pursuing high-profile price-fixing claims, and he is representing a multinational engineering company pursuing \$55+-million in claims relating to a gas processing facility.



RYAN CAUGHEY
SUSMAN GODFREY LLP

PIONEER SPIRIT When he noticed that corporate legal departments were increasingly strapped for cash and seeking innovative ways to manage their dockets and alleviate some of their budgetary concerns, Ryan Caughey saw an opportunity. He recognized that large Fortune 100 companies were leaving potential money on the table by ignoring their plaintiffs' claims and started to pitch them on using alternative fee arrangements to pursue them. "Culturally and traditionally they're used to paying big white shoe firms by the hour. But we can come in and take their plaintiffs' claims, which historically they might not have asserted because they were busy defending lawsuits and assisting their corporate business units."

TRAILS BLAZED Having launched his legal career as a defense lawyer, Caughey benefits from a unique perspective that gives him credibility with his clients. Offering a variety of alternative fee arrangements also helps. In one of the first major data-oriented lawsuits to protect a company from antitrust harm, he represents software company Veeva Systems in asserting monopolization claims against the world's largest pharmaceutical data provider. He also represents a market-leading retailer in pursuing price-fixing antitrust claims, and investors in biotech company Promega in one of the largest-ever shareholder oppression cases in the country. "I work hard to find plaintiffs' claims where people who have them don't realize they have them. The in-house lawyers can now say 'we're not just a drain on revenue. We're protecting our business.'"

FUTURE EXPLORATIONS Caughey anticipates an increase in the number of big-dollar corporate plaintiffs' claims, particularly in the antitrust/competition and data privacy spheres. "How do you deal with modern companies trying to fit into traditional boxes? It's a fascinating practice because it rewards innovative theories on the plaintiff and defense sides, and allows you solve high-value problems. It's an exciting time to be a litigator."

Bill Merrill

Bill Merrill is a leader for his clients in Texas and beyond in some of the nation’s largest and highest profile lawsuits. This includes affirmation of a \$43.2 million trial victory for Texas-based, Apache Deepwater, the Texas Court of Appeals upholding a \$4+ million jury verdict for Westlake Chemical Corporation, and a major pro bono insurance litigation win for Houston’s Alley Theater Co.

SUSMAN GODFREY



WILLIAM R.H. MERRILL
SUSMAN GODFREY LLP


PIONEER SPIRIT Bill Merrill considers himself a trial lawyer first and foremost. Having litigated high-stakes cases involving satellite technology patents, oil & gas limited partnership financial disputes, construction disputes and antitrust claims, his practice is both industry and subject matter diverse, and benefits from his use of lean staffing to best serve his clients. "We use a Navy Seal approach rather than an infantry approach. Having a small team that takes a deep dive and knows a lot about a case is the best way to litigate."

TRAILS BLAZED Merrill thrives on the varied nature of his practice and learning about new businesses, particularly when complex financial structures and contractual arrangements are involved. In a recent case on behalf of client Westlake Chemical Corporation, Merrill and his team successfully litigated – both at trial and on appeal – a dispute related to a contractual notice provision. Westlake had removed the primary contractor on a construction site due to repeated safety issues, including a fatality, and provided notice at a meeting, but the contractor asserted that the notice was inadequate. "Did Westlake properly terminate that portion of the contractor's work? The jury found that the actual notice received was sufficient, and the appellate court agreed."

FUTURE EXPLORATIONS Merrill begins every new matter anticipating what a trial will look like and then working backwards. It's a strategy that continues to pay off. He is currently defending Westlake in a nationwide antitrust case alleging price fixing and output restriction in the production and sale of caustic soda. He's also seeing a considerable bump in insurance disputes stemming from COVID-19 and foresees that bankruptcies in the oil and gas sector will lead to more litigation. "I enjoy seeing juries rule for the right result. I have a lot of faith in the legal system and believe that it generally works the way it should."

Trey Peacock

In the past 12 months Trey Peacock has secured nearly \$100 million dollars in wins that span practices areas such as IP, Energy, and Employee Compensation. These include a \$40m judgment for Texas-based fracking company Repeat Precision, a Deepwater Horizon settlement claim valued at \$16m for a Fortune 50 company after defeating two appeals by BP to the Fifth Circuit, and defeating breach of contract claims of \$40 million for Texas-based Mostyn Law Firm.



TREY PEACOCK
SUSMAN GODFREY LLP

PIONEER SPIRIT Trey Peacock loves trying cases. As lead or principal trial counsel for both plaintiffs and defendants, he has appeared in courtrooms in 20 states and has built a reputation as a lawyer who embraces science and data. He works closely with experts to dig deeply into the facts of his cases, whether they involve environmental exposure, oil and gas economics or epidemiology. "If you have a case involving complex scientific matters, there's no science I'm unwilling to conquer."

TRAILS BLAZED Peacock is a litigator who genuinely enjoys working with and learning from experts. From selecting experts who are appropriately trained and experienced to making sure they can effectively explain scientific and technical aspects to a judge or lay jury, he is focused on understanding the relevant science and data so there are no surprises when the trial begins. In a case a few years ago involving a collapsed underground salt dome that caused the massive Bayou Corne sinkhole in Louisiana, Peacock had to get up to speed on geomechanics for the bench trial. "We spent an enormous amount of time trying to understand and model what happened, and the expert and his conclusions played a major role in the judge's opinion. It was one of the hardest scientific stories I've ever had to explain."

FUTURE EXPLORATIONS As COVID-19 continues to wreak havoc across the country, Peacock foresees that parties will increasingly demand bench trials over jury trials, which could be an advantage when it comes to arguing his hyper-technical cases. Having been at Susman his entire career, he recognizes that he wouldn't have had the success he's enjoyed without his mentors and colleagues. "I've never done a trial by myself. Everyone carries weight and supports one another. I'm lucky to be here."

See the full list of 2020 Texas Trailblazers [here](#).