

Rising Star: Susman Godfrey's Alex Kaplan

Law360, New York (July 27, 2017, 4:28 PM EDT) -- Susman Godfrey LLP's Alex Kaplan has carved out his place in Houston's energy litigation scene over the past several years through wins for big players such as Targa Liquids Marketing & Trade against federal antitrust claims and is currently working on a \$3 billion fuel-oil contract dispute that's the largest of his career — putting him on the list of energy attorneys under 40 being honored by Law360 as Rising Stars.

WHY ENERGY LITIGATION:

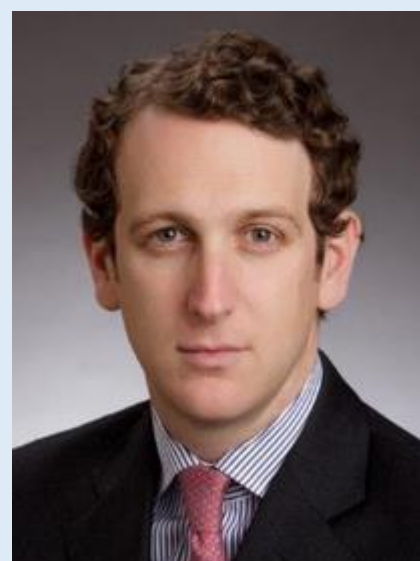
Whether the case landing on his desk is an upstream action about drilling programs or royalty issues; a midstream dispute involving pipeline dedications or gas processing; or a downstream case dealing with refining operations or commodities trading, “you never quite see the same thing twice,” Kaplan said.

But at the same time, he said, the experience he gains on a given energy case carries over from one matter to the next. For instance, the homework he did for a patent case involving directional drilling technology helped him on a subsequent dispute over a directional drilling program — and that experience then carried over to another case, he said.

Right now, Kaplan is using that experience to represent energy and commodities firm Vitol Inc. in a \$3 billion contract dispute lodged by the Puerto Rico Electric Power Authority, in which PREPA is seeking to void six fuel and oil supply contracts it entered into with Vitol.

“Energy disputes are, really, at the intersection of business and economics, law, science — and you just see a wide variety of cases,” he said.

RISING
★ ★ ★ ★ ★
STAR



Alex Kaplan
Susman Godfrey

Age: 37

Home base: Houston

Position: Partner

Law school: University of Texas School of Law

First job after law school: Clerk for Judge Jerry Smith, U.S. Court of Appeals for the Fifth Circuit

WHEN HE WAS CHALLENGED:

A judge once asked Kaplan to do something he'd never done before: serve as a mediator.

The case was a multiparty fuel trading dispute and the judge recommended the parties retain Kaplan, who had recently come off an oil and gas case in the same trial court, to help them assess the legal issues at hand.

"It was an unusual and challenging role for me because I was a fairly young lawyer dealing with a sea of lawyers who had owned and litigated this case for years," he said.

He studied, got his hands dirty with the issues, and was ultimately able to help the parties fully resolve the case through mediation, before trial.

"I think, in that instance, the judge thought what the parties needed was an unconventional approach; a little more of a hands-on effort to engage the parties in their understandings of the legal issues and help them to evaluate the risks in their respective positions, and that's a role we're very comfortable in as advocates [at Susman Godfrey]," he said.

PROUDEST MOMENT AS AN ATTORNEY:

Kaplan's proudest moment as a lawyer to date wasn't in the energy realm, but rather representing and winning a \$5 million jury verdict for a wrongly convicted man who spent 17 years behind bars for crimes he never committed.

Kaplan and Susman Godfrey represented George Rodriguez in a civil suit against the city of Houston and its police department's crime lab, alleging systemic problems with the way in which they analyzed and used forensic evidence in their criminal prosecution of Rodriguez. The case ultimately settled for \$3 million after an appeal, after which Kaplan stood by Rodriguez as he received a formal apology from the city's mayor.

"That was a special day," Kaplan said.

Prior to that, Kaplan also represented Rodriguez on his habeas corpus petition and was able to exonerate him through DNA evidence.

ADVICE TO YOUNG ATTORNEYS:

Kaplan, who also teaches students at the University of Houston Law Center, encourages young lawyers to take a step back when working on a case. It's not always about sticking strictly to your assigned tasks, he said.

"Your growth as a lawyer ultimately comes not just from being task-oriented but by always thinking about the bigger picture," he said. "It's really about trying to be a thought leader — taking ownership of the case — more than just being a role player."

— As told to Kat Sieniuc

Law360's Rising Stars are attorneys under 40 whose legal accomplishments belie their age. A team of Law360 editors selected the 2017 Rising Stars winners after reviewing more than 1,200 submissions. This interview has been edited and condensed.

All Content © 2003-2017, Portfolio Media, Inc.