

The Texas Lawbook

Free Speech, Due Process and Trial by Jury

Q&A with Trial Lawyer Geoffrey Harrison

APRIL 4, 2025 | BY KRISTA TORRALVA

A phone call interrupted Susman Godfrey partner *Geoffrey Harrison's* interview with *The Texas Lawbook*.

"All I do is win, win, win no matter what," rapper T-Pain belts in the ringtone sounding from Harrison's cellphone.

Is that ringtone assigned to anyone in particular, Harrison is asked. It's not.

"Everyone gets to win," Harrison said.

That's generous of Harrison, who himself has been on a winning streak. In just the last year, Harrison said he won five lawsuits for clients involving over \$1.25 billion.

After each victory, Harrison treats his trial team to an extravagant dinner celebration as is the Godfrey way.

In October 1993, Harrison was just two months into his career practicing law after a clerkship when he was tapped to try an accounting malpractice case with firm namesake *H. Lee Godfrey*. They won a jury verdict totaling more than \$77.6 million.

Godfrey threw a lavish party in the wine room at Tony's restaurant in Houston. The lawyers sang show tunes along with an accordion player and danced around the table, Harrison recalls.

"That sticks with you," Harrison said. "And so that's how I do it."

Harrison spoke with *The Lawbook* about his string of recent victories, his style and more in the following exclusive interview, edited for length and clarity.

The Texas Lawbook: What would you point to as some of the biggest trials that you've handled?

Geoffrey Harrison: This past year exemplifies an enormous number of



Geoffrey Harrison

memorable cases that I've had along the way of my 32-plus years of doing this thing we call the practice of law.

One was a take-nothing judgment in a trade secret case where the losing plaintiff had sought \$360 million. We won after a three-week trial and extensive posttrial briefing.

Another in the past year I won with my team was a seven-week trial where the plaintiff contractor sought \$175 million from the project owner and recovered \$0 while my energy industry client and project owner won millions on our counterclaim. We got that ruling right before the New Year.

In another, we won \$22 million in an oil and gas acquisition and insurance coverage dispute. It was an arbitration. That's 100 percent of the damage that we sought, plus a few million dollars in attorneys

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fees.

Another was that I had this case where I won a series of evidentiary rulings — not a trial — but a series of evidentiary rulings with witnesses, openings and closings in a case that involved offshore decommissioning of oil and gas wells, platforms, pipelines and facilities in the Gulf of Mexico. We leveraged those wins and some super rulings from the court to recover \$490 million, which was over 98 percent of the damages that we sought.

One other that we finally signed the papers on was another arbitration. It was an unusually contentious business divorce case that we resolved for over \$200 million.

The Lawbook: Are there one or two high-profile public matters that you're currently involved in that we can highlight?

Harrison: A 100-year-old engineering and construction company, Zachry Holdings, and its involvement in the \$10 billion Golden Pass LNG liquefied natural gas facility in Sabine Pass, Texas. This was front page news in Houston, in San Antonio and other parts of Texas for several months in 2024. Zachry hired me as special litigation counsel to litigate against Golden Pass and its project owners, who were ExxonMobil and QatarEnergy. Lots of fingers were pointed in lots of different ways.

I put together a super team at Susman Godfrey, worked with excellent co-counsel at the Hicks Thomas firm and also worked with the wonderful bankruptcy counsel at White & Case. It was a good team, and we worked really well together in service of Zachry, and so we aggressively prosecuted Zachry's affirmative claims and attacked billions of dollars in alleged liabilities, the overhang of which is what largely had caused Zachry to have to file bankruptcy in the first place. We achieved, in short order, a comprehensive settlement that eliminated the enormous liability overhang and smoothed the path for Zachry to emerge from bankruptcy, as it will do imminently.

This was a big win for the company and also a particularly gratifying win

to us, for Zachry's thousands of employees, who sometimes are forgotten in the mix of high stakes litigation involving companies that employ so many. Zachry employers never lost sight of that, and that was gratifying. That was high stakes. That was high profile.

The Lawbook: What news developments or trends in law are you particularly keeping an eye on at the moment?

Harrison: Plugging, abandonment and decommissioning of oil and gas platforms, wells, pipelines and other facilities in the Gulf of Mexico. There are over 10,000 unplugged, out-of-service oil and gas wells in the Gulf of Mexico, and some studies estimate that it will cost up to \$70 billion to decommission all of them as federal regulations, as they now stand, require. So you can imagine that litigation over decommissioning expenses and financial responsibility and operational decisions will continue to grow. I've handled and tried to juries a number of cases involving offshore decommissioning over the years. I think that litigation over offshore decommissioning implicates some intriguing interplay among safety, environmental, regulatory, prudential and, of course, economic concerns that are pretty fascinating as well as important to the parties, to the country.

So I've tried cases involving offshore decommissioning that involved disputes about the timing of the work, the methodology employed to plug, abandon and decommission. Some of these drilling rigs and other vessels used to do the decommissioning work can have day rates of up to \$600,000 a day for work that can continue for weeks, months, even years, on a multi-well program. And certainly, the competing rights and preferences of the operating owners and the non-operating interest owners often can lead to disputes and litigation.

So this is an area that is really interesting to me. It's also an area where there may be some watch-worthy developments coming out of Washington, D.C. I think it's going to be interesting to see what the executive and legislative branches do in terms of addressing

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existing decommissioning regulations and requirements, simultaneously with watching and observing what the courts do in cases that are pending and how the law develops.

The Lawbook: What are your go-to sources of news on these developments?

Harrison: I read at least two papers every day. I read the *Houston Chronicle*, *The New York Times*, and most days I will also read the stories from *The Wall Street Journal*. Then, of course, I have some alerts set up for the decisions that implicate plugging, abandonment, decommission. And also, I read legal news outlet newsletters.

The Lawbook: I have to ask about your unique bio picture. Can you tell me about your fandom of the band and why you took your firm photo in the T-shirt?

Harrison: I can, and I was really glad you asked because certainly it comes up with potential clients, co-counsel, opposing counsel, arbitrators and others. The Grateful Dead has been a musical and cultural force in the United States and worldwide since the 1960s. In June of 1976, the Grateful Dead released its “Steal Your Face” live double album. I was just a kid, but that was the month before I went to summer camp in Pennsylvania’s Pocono Mountains. In 1976, in rural Pennsylvania, as with so many other spots around the country, there were lots of Deadheads, and we had Deadhead camp counselors who played Grateful Dead music over the loudspeakers.

Anytime these Deadhead camp counselors could commandeer the camp’s loudspeaker system, they would play “songs of the dead,” and they would often get up early and fly a “Steal your Face” Grateful Dead flag right along with the old stars and stripes. And I’ll tell you that can make quite a lasting impression. So that’s really the origin story of my interest in the Dead. I approach the seriousness, severity and precision of high stakes litigation and trial work in a fun and joyful way that perhaps sets me apart from other extremely successful trial lawyers. As one of my law partners recently put it, we have fun on my trial teams, while our adversaries often look miserable and

snipe at each other. So the Grateful Dead T-shirt on my web bio may intrigue and may suggest something unconventional afoot in a way that is positive and does not in any way interfere with, indeed enhances, our chances of success in achieving our clients goals. That’s what that’s all about.

The Lawbook: Do you have any pre-trial rituals?

Harrison: Prepare, prepare, prepare, prepare, prepare. I live and breathe my cases. That’s my only pre-trial ritual. But if you’re interested, I can tell you about my trial rituals.

The Lawbook: Yes, let’s hear it.

Harrison: I have two trial rituals. And both involve lunch. One is that I eat the same lunch every day. When I’m in Houston, I get the grilled chicken and peppers from Treebeards. When I’m outside of Houston, I get a tuna salad sandwich with Swiss cheese and sprouts every day (hopefully from a nice Jewish deli). Two, everyone on my trial team — clients, witnesses, co-counsel, legal assistants — gets a fresh, clean, black, linen napkin — new one every day — to tuck into their shirt or blouse during lunch to avoid spillage that you then have to go into court with. According to Susman Godfrey lore, one of our lawyers suffered an unfortunate sartorial sully incident at dinner at Yang Chow in Los Angeles’ Chinatown back in the early 1980s when a piece of appropriately named slippery shrimp slipped off the chopsticks and fell into a pool of sauce on the plate. I do not want anything like that to happen at trial to anyone on my trial team.

The Lawbook: What is your favorite task to handle at trial and why?

Harrison: I love it all. If I have to pick one, among the trial tasks, all of which I love, it’s cross-examination. It is a great joy to experience the unfolding of a well-prepared and orchestrated cross-examination. Nothing strikes the chords of the finder of fact like watching a witness deteriorating. Someone who, when examined by their own lawyer or a friendly lawyer, seems so poised, polished and confident and informed, and on cross-examination, the demeanor changes, the

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information, the sharing, the attitude is fundamentally different. The credibility begins to disappear and disintegrate. A good cross-examination, a really good cross-examination, is something to behold. You've got to come with a great deal of preparation and skill. It's fun to cross-examine somebody where you have a deposition. It's also fun to cross-examine when you come in cold without any prior testimony.

The Lawbook: Do you have a least favorite task?

Harrison: Yes. And it's one of the most important things that we do. I like to have someone else handle the jury charge discussions in court. Now, a lot of lawyers will have other lawyers handle the jury charge and then leave the courtroom and get ready for their closing. I don't leave the courtroom. I stay involved. I pay attention. I may have a comment to make, but I like to have other lawyers actually handle the jury charge discussions.

The Lawbook: How do you celebrate after a trial win?

Harrison: I host a swanky celebration dinner for the whole trial team, co-counsel and staff. We enjoy big steaks, big wine, big speeches and toasts, typically focusing on significant and funny moments in trial. I love to read portions of the trial transcript for the enjoyment

of all.

The Lawbook: If you weren't a lawyer, what career do you think you would have chosen instead?

Harrison: Definitely, I'd be a game show host.

The Lawbook: What's your favorite game show?

Harrison: Well, my favorite game show host was Richard Dawson of *Family Feud*. Although I must say Bob Barker, *Price is Right*, and Pat Sajak, *Wheel of Fortune* — These people had presence.

The Lawbook: What am I not asking that you'd like to share with our readers?

Harrison: Here's what I'd like to share, and I share with just about anybody who asks anything about the firm. Steve Susman and Lee Godfrey built Susman Godfrey into the juggernaut that it is by hiring the best and brightest and trusting the young folks with great responsibility in stand-up time [in front of juries]. Continuing that tradition is a priority for me and for the firm. Trusting our young lawyers with great responsibility and opportunities helps attract super smart go-getters in the first instance and helps our clients achieve their goals. It's a big part of who we are at Susman Godfrey. It's a big part of the reason that we win as much as we do.