



R. Paul Yetter

Partner

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Professional Summary

Paul Yetter's practice covers a range of commercial disputes, focused on antitrust/securities, intellectual property, and contract/business torts. Representing plaintiffs as often as defendants, he has clients in the energy, technology, finance, and aviation industries, among others. He has prosecuted and defended lawsuits and arbitrations as lead counsel around the country, from New York City to Miami, Sacramento to Mobile, Muskogee to Atlanta, Phoenix to Little Rock, Corpus Christi to Wilmington, Chattanooga to Tonopah (Nev.), as well as appeals in many federal and state courts. In recent years, he has tried three class actions. He is fortunate to work often with respected litigators from large corporate firms and trial boutiques alike.

Paul most enjoys building case strategy and leading trials. Whether involved early or brought in late, as clients often ask his firm to do, he works to find winning approaches to tough cases. In recent years, he has led trial teams that have defeated ten 9- or 10-figure damages suits against the firm's defense clients. He also has directed trial teams that won six 9-figure verdicts or settlements for our plaintiff clients. His firm's trademark approach is to simplify complex disputes into powerful trial stories and tailor presentations to most effectively educate the decision-maker, whether a jury, judge, or arbitrator. In an age of shrinking trial dockets, his firm is regularly in trial in state and federal courts around the country, which allows his teams to continually perfect their creative, strategic, and seamless approach to advocacy.

Outside of the courtroom, Paul serves as chair of statewide groups that promote the funding, education, and resources of the Texas state judiciary. He is honored to be a member of the International Academy of Trial Lawyers, International Society of Barristers, and American Board of Trial Advocates. He and his wife Patti have seven grown sons.

Representative Experience

Representative Plaintiff Matters

- *Triad Hunter v. Westlake*. Won \$70 million verdict in SE Ohio state court for underground trespass/negligence by a solution mining chemical plant.
- *US Airways v. Sabre*. Won monopoly abuse verdict for defunct airline in SDNY,

in the first post-*Amex* two-sided market trial in U.S.

- *FDIC v. Deutsche Bank*. Helped client settle its mortgage-backed securities case for \$150 million the night before jury selection, after securing \$29 million settlement from RBS in related case.
- *iFLY v. ISA*. Won a full-liability arbitration award for the leading indoor skydiving company against its Australian licensee, enforcing exclusive supply agreements and defeating antitrust defenses.
- *Hardesty*. Won \$107 million verdict in California for two mining families who alleged that the County of Sacramento violated their civil rights by improperly shutting down their gravel mine at the urging of a large competitor (#21 U.S. verdict of 2017). Liability affirmed on appeal but remanded for excessive damages.
- *iPic v. Regal*. Won a landmark injunction against nation's largest movie theater chain for predatory conduct against our boutique theater client under the Texas antitrust act; affirmed on appeal.
- *Confidential*. Secured a \$26.5 million+ settlement for a jilted business partner, shortly after jury selection.
- *FDIC v. Morgan Stanley*. Secured \$24 million on the eve of trial for the FDIC in a securities suit against a major Wall Street bank (#1 Texas disclosed settlement of 2015).
- *MM Steel v. Reliance Steel*. Won verdict and \$160 million judgment in a horizontal group boycott case for a start-up steel distributor (#12 U.S. verdict of 2014), affirmed on appeal.
- *In re Wells Fargo*. Obtained \$15 million settlement for unpaid overtime for a nationwide class of mortgage loan officers.
- *Business Logic v. Morningstar*. Secured \$61 million on the eve of trial for small software firm (#1 Illinois trade-secrets settlement).
- *L.C. Eldridge v. Azen Mfg.* Won verdict of willful patent infringement of oilfield technology, validity, willfulness, and full damages (#4 Texas IP verdict of 2013); affirmed on appeal.
- *American Airlines v. Sabre*. Helped airline settle its state antitrust case in trial for at least \$235 million from the largest U.S. ticket distribution system, which organized a horizontal group boycott to stop the airline from using its own system.
- *Doctors Hosp. v. Beasley Ins.* Won \$32.5 million verdict for our Fortune 50 client in an insurance dispute involving a healthcare facility (#1 Texas non-IP federal verdict of 2010); settled on appeal.
- *GeoMet v. Consol.* Secured major new gas reserves for our client in settlement of antitrust claims in Virginia over pipeline access.
- *Equatorial Tonopah v. Kvaerner*. Won \$136 million verdict in Nevada against global engineering firm for bad advice on a failed copper mine (#14 U.S. verdict of 2004), with our client securing \$116 million in pre-appeal settlement.
- *In re Peregrine Sys.* Headed a special investigation into misconduct by software executives, leading to California litigation recovering over \$100 million for injured investors.
- *American Airlines v. FareChase*. Won the first cyber-trespass trial in Texas, securing an injunction that protected client's online pricing.

Representative Defense Matters

- *Marshall v. MarOpCo.* Won no-liability judgment in nine-figure intra-family

dispute in Texas as well as \$10.5 million counterclaim award

- *Smith v. Southwestern Energy*. Won no-liability verdict in Ark. for an energy client against a class action of 12,000 landowners who sought \$300 million for alleged royalty underpayments, in one of the few such cases ever tried; affirmed on appeal.
 - *Confidential*. Settled partnership dispute over control of a leading energy company, securing our client's right to acquire interests in a massive LNG plant valued at \$125 million.
 - *In re Smart Meters Patent Litig.* Won key MSJ in Oklahoma against claims over smart-meter technology, leading to a no-payment dismissal of our power company client.
 - *Supkis v. The Methodist Hospital*. Won no-liability verdict for a healthcare client in a physician's whistleblower retaliation case.
 - *Berge Helene v. GE Oil & Gas*. Won take-nothing judgment after a five-week trial for our oilfield client against \$59 million warranty claims relating to offshore gas compression technology.
 - *Neon Enterprise v. IBM*. Helped secure no-payment dismissal for our mainframe client in a \$16 billion suit over disputed software.
 - *City of San Antonio v. NRG Energy*. Won \$3 billion expedited trial over rights of our client's partner to stop funding construction of a new U.S. nuclear plant; filing to trial was only six weeks.
 - *Canatxx v. GE Power*. Won take-nothing judgment for our client in a \$1 billion trial/arbitration over a failed U.K. power plant project.
 - *Whipstock Services v. Smith Int'l*. Won key MSJ against patent claims by a competitor concerning undersea oilfield technology.
 - *Confidential*. Won an arbitration allowing our healthcare client to keep and use over \$100 million in charitable funds.
 - *Woolley v. VistaPrint*. Won no-payment dismissal of an MDL class action over alleged Internet cramming sales practices.
 - *Abney v. BHA Group*. Secured favorable eve-of-trial settlement of a mass action in Alabama involving race discrimination claims.
 - *ASARCO v. Augusta Resources*. Protected Arizona copper deposits against bankruptcy claims, allowing sale for \$670 million.
- Representative Public Interest Matters
- *M.D. v. Abbott*. Won an historic federal verdict after trial, finding that Texas violates the civil rights of 12,000 foster children; upheld on appeal on key issues of overloaded caseworkers, poor oversight, and ongoing federal oversight/monitoring.
 - *Habitat for Humanity*. Secured no-payment dismissal for the global organization against an ownership suit by another charitable entity claiming to own the world-renowned "Habitat" name.

Professional Honors & Affiliations

- Fellow: Int'l Academy of Trial Lawyers
- Fellow: Int'l Society of Barristers
- Advocate: American Board of Trial Advocates
- 2021 Inaugural Harry M. Reasoner Justice For All Award, Texas Access to Justice Commission

- 2019 Karen H. Susman Jurisprudence Award, Anti-Defamation League
 - 2018 Friend of the Judiciary, Judicial Section, Texas Bar Ass'n
 - 2016 Texas Attorney of the Year, *Texas Lawyer*
 - 2004 Top Ten Winning Lawyers, *National Law Journal*
 - Chambers USA: America's Leading Lawyers* in Texas as a Top Trial Lawyer, Antitrust, and Commercial Litigation
 - Best Lawyers in America* in Antitrust, Appellate, Bet-the-Company, Commercial, Intellectual Property, and Securities Litigation (2020 Houston Antitrust Litig. Lawyer of the Year)
 - "Texas Super Lawyer" in Business Litigation, *Thomson Reuters*
 - "Top 100 Super Lawyer" in Texas
- Chair: Alliance Judicial Funding, assists state judiciary in legislature
 - Chair: Texas Judicial Foundation, helps fund judicial CLE
 - Fmr. Member: S.D. Tex. Comm. on Admissions
 - Fmr. Chair: State Jud. Relations Comm.(Pres. Citation Award)
 - Fmr. Member: State Funding Parity Task Force

Presentations & Publications

- "Antitrust" chapter," *Texas Bus. Litig.*, ALM Media, 2014-21
- "Initiating Litigation," State Bar of Tex., 2015, 2017, 2021
- "Art of Business Litig.," Univ. of Houston, 2014-15, 2017, 2019
- "U.S. v. AT&T & Future of Antitrust Enf.," State Bar of Tex., 2018
- "Winning at Pretrial," Univ. of Tex. Civil Litig. Conf., 2018
- "Diversity & Inclusion: Role of Allies," State Bar of Tex., 2018
- "Royalty Class Action Trial," Inst. for Energy Law Conf., 2018
- "Impact of *Dukes* on Empl. Class Actions," State Bar of Tex., 2013
- "Five Ways To Win Patent Litig.," *GE Views & News*, 2012

Education & Professional Background

- Columbia University, J.D. (Dean's Council, 2008 - Present)
- University of Texas at El Paso, B.A. (Distinguished Alumnus, 2008; Distinguished Alumnus, College of Business, 2005)
- Law Clerk to The Hon. John R. Brown, U.S. Court of Appeals for the Fifth Circuit
- Baker Botts LLP, fmr. partner
- Board Certified in Civil Trial Law and (prev.) Personal Injury Trial Law, Texas Board of Legal Specialization