

Bryce L. Callahan

PARTNER

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Credentials

- Harvard Law School
J.D.
- Captain, Military Intelligence
U.S. Army
- United States Military Academy, West Point,
NY
B.S.
Distinguished Cadet
- Admitted to practice:
Texas

Bryce is a high-stakes trial lawyer representing plaintiffs and defendants in state and federal courts throughout Texas and across the United States. With experience in a wide variety of business and contract disputes, including antitrust, securities, and trade secret misappropriation, he has recovered hundreds of millions of dollars on behalf of plaintiffs and successfully defended clients against billions of dollars in claims.

Bryce represents clients in a range of industries, including technology, energy, sports, hospitality, pharmaceuticals, real estate, healthcare, airlines, and cable and telecommunications. Recognized as a "Texas Super Lawyer" in Business Litigation by Thomson Reuters, he works closely with clients to understand their objectives and develop the best strategic decisions at every stage of litigation, whether pursuing early settlement or prosecuting a case through trial and appeal. His creativity, trial experience, and pragmatic approach to resolving complex disputes are key advantages for his clients – both in and out of the courtroom.

Bryce graduated from Harvard Law School and was a finalist in the Ames Moot Court Competition, winning Best Oral Advocate. He also interned with the U.S. Department of Justice Anti-terrorism Division and the Anti-terrorism Section of U.S. Attorney's Office in Boston, Massachusetts.

A West Point graduate and U.S. Army officer prior to law school, Bryce attained the rank of captain and served his country in combat. Among his assignments, Bryce commanded a platoon of Russian linguists, served as a cavalry squadron's lead intelligence officer, and headed the intelligence operations of an infantry division's tactical headquarters. Bryce conducted counter-narcotics missions along the U.S.-Mexico border and counter-terrorist operations in Bosnia after 9/11. He was awarded the Bronze Star Medal during Operation Iraqi Freedom.

Experience

Antitrust

- **In re: Google Digital Advertising Antitrust Lit.** Represents Google in a multi-state antitrust enforcement action led by the Texas Attorney General.

- **MM Steel v. Reliance Steel, et al.** Represented a start-up steel distributor in a group boycott suit against the nation's largest steel distributors and manufacturers. In one of the rare per se antitrust cases to proceed to trial, secured a \$160 million judgment after a five-week jury trial (#12 U.S. verdict of 2014); affirmed on appeal. *MM Steel, L.P. v. JSW Steel (USA) Inc.*, 806 F.3d 835, 840 (5th Cir. 2015).
- **iPic v. Regal and AMC.** Won a landmark injunction for luxury boutique movie theater iPic against the nation's largest theater chain for predatory clearance conduct; affirmed on appeal. *Regal Entm't Group v. iPic-Gold Class Entm't, LLC*, 507 S.W.3d 337, 342 (Tex. App.—Houston [1st Dist.] 2016, no pet.).
- **Neon v. IBM.** Defended IBM in a multi-billion-dollar antitrust suit brought by a start-up mainframe competitor. Days before trial commenced, and after a hearing on IBM's spoliation motion, plaintiff agreed to a no-payment permanent injunction by which it would no longer sell the mainframe software at issue.
- Represents a major fuel distributor against the four major U.S. railroads for violating the federal antitrust laws by colluding to use fuel surcharges to impose inflated rail freight rates.
- **Host, Intl. v. MarketPlace, PHL.** Represents a global airport restaurateur against an international airport landlord for violating the federal antitrust laws by tying lease space to the exclusive control of beverage sales.

Securities

- **FDIC v. Deutsche Bank, RBS Securities.** Represented the FDIC against Deutsche Bank and RBS related to residential mortgage-backed securities purchased by a failed Texas bank. The night before jury selection, Deutsche Bank agreed to settle for \$150 million, reportedly the highest pro rata recovery among government RMBS suits. This followed an earlier \$29 million settlement from RBS.
- **FDIC v. Morgan Stanley.** Represented the FDIC against Morgan Stanley related to residential mortgage-backed securities purchased by a failed Texas bank. Following a series of favorable pre-trial rulings, the case settled days before trial for \$24 million, among the highest pro rata recoveries in government suits over the RMBS scandal (#1 Texas disclosed settlement of 2015).

Trade Secrets

- **W.L. Gore v. BHA Group.** Defended a General Electric subsidiary in a two-week trial in Delaware Chancery Court in a \$60 million claim for trade secret misappropriation over high-density polyethylene industrial processes. Case settled favorably before the verdict.
- **Sisoian v. IBM.** Successfully defended IBM after allegations that it misappropriated computer architecture trade secrets and used them to develop telecommunications software. Case involved international discovery, complex issues relating source code copying, and nine-figure damage claims. Settled very favorably before trial, after a summary judgment ruling for IBM.

Energy

- **Swift Energy v. Regency Field Servs.** Shortly before trial, a south Texas court granted summary judgment for client Energy Transfer, dismissing \$145 million in claims by Swift Energy, which alleged interference with its oil and gas production in the Eagle Ford Shale due to a nearby acid gas injection well. *Swift Energy Operating, LLC v. Regency Field Servs. LLC*, 2019 WL 2272900 (Tex. App.—San Antonio 2019, pet. granted)
- **Confidential Client.** Represented a major LNG facility in a royalty dispute with a former partner that demanded a royalty on LNG liquefaction volumes. Potential liability exceeded mid-nine figures. After the Texas state trial court granted our summary judgment motion, the case successfully settled.
- **City of San Antonio v. NRG Energy, Inc., et al.** Successfully represented NRG in a multi-billion-dollar trial against the City of San Antonio over ownership of the South Texas Nuclear Project.

Contracts and Business Torts

- **CenterPoint Energy Pipeline Servs. v. EMS.** Tried a multi-million-dollar fraud and computer theft dispute for a natural gas pipeline company against pipeline maintenance company, resulting in a take-nothing judgment against the maintenance company and full recovery on counterclaims and claims for attorneys' fees.
- **Confidential Client.** Represented a major hospital system in arbitrating disputes arising from the termination of its long-term affiliation with a premier medical school, including successfully recovering tens of millions of dollars in disputed funds held by the parties.
- **PEMEX Exploration vs. Murphy Energy Corp. et al.** Secured dismissal of a multi-million-dollar suit brought by Pemex against several petrochemical companies, including client ConocoPhillips. Case involved claims that Mexican drug cartels were stealing Pemex condensate and then selling it in the U.S.
- **Confidential Client.** Prosecuted a \$40 million arbitration between a compressor monitoring company and an international compression company, involving allegations of breach of contract and fraud related to the performance of electronic monitoring systems, achieving a nearly full-value pre-hearing settlement.
- **CenterPoint Energy Pipeline Servs. v. A&L Underground.** Won a \$6 million construction lawsuit for a national natural gas pipeline company against its subcontractor for failure to perform, achieving victory on summary judgment.
- **Habitat for Humanity v. HFHSA.** Successfully defended Habitat for Humanity in a trademark infringement case brought by a local affiliate challenging ownership of the organization's marks, valued in the billions of dollars. Shortly after aggressively answering the local affiliate's claims, the case was resolved with an admission that the international charity owned the trademarks.
- Defended an IBM subsidiary in a \$10 million dispute before the International Centre for Dispute Resolution against a distributor of solid-state data storage products that claimed early termination of their agreement. After discovery and pre-hearing briefs, and just days before the final hearing, the arbitration settled very favorably, involving no payment by IBM.

False Claims Act and Whistleblower Actions

- **Supkis v. Houston Methodist.** Represented Houston Methodist hospital in a high-profile two-week trial involving an anesthesiologist and medical director seeking seven-figure damages for retaliatory discharge for alleged whistleblowing of patient safety violations; jury returned full defense verdict.
- Represents a major government contractor in a nine-figure False Claims Act matter regarding the provision of intelligence services in Afghanistan.

Professional Honors & Affiliations

- Chambers USA: America's Leading Business Lawyers in Texas Commercial Litigation, 2022-2023
- *Best Lawyers in America* in Commercial Litigation, 2024
- "Texas Super Lawyer" in Business Litigation, *Thomson Reuters*, 2020-2023
- "Texas Rising Star," by Thomson Reuters' Super Lawyers in *Texas Monthly Magazine*, 2013-2016
- "Houston Top Lawyer" in Business & Commercial Litigation, *H Texas Magazine*
- Member: State Bar of Texas, Houston Bar Foundation
- Fellow: Texas Bar Foundation
- Garland R. Walker American Inn of Court

Presentations & Publications

- "The Texas Citizens Participation Act: What Every Lawyer Must Know," South Texas Association of Corporate Counsel, Oil & Gas Chapter, September 2018 (co-presenter)
- "Which Deposition Costs Are Recoverable in Texas?" *Law360*, June 22, 2018 (co-author)