

Alistair B. Dawson

Partner Houston

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Alistair Dawson is an acclaimed trial lawyer. Alistair has handled and tried a variety of challenging commercial lawsuits with success, from bet-the-company litigation to individual claims.

A consummate professional, Alistair brings sound judgement and a rigorous work ethic to every case. As a result of his skills and perseverance, Alistair has earned widespread praise from clients and colleagues as a “go to” trial lawyer.

Alistair’s determined work ethic and strong desire to succeed were instilled in him as a child. Born in Great Britain, his parents emigrated to the United States when he was a young boy. Watching his parents sacrifice to provide Alistair the best education possible left an enormous impact, demonstrating that hard work and success are largely synonymous.

Alistair is committed to achieving success for his clients. In each case, he partners with his client to carefully determine the client’s wishes and goals. Once those have been set, Alistair devises a strategy and works hard to achieve the desired goals.

Alistair is a Fellow of the American College of Trial Lawyers and is recognized by *Best Lawyers in America* (2012-2021) for commercial litigation, *Benchmark Litigation* as a Local Litigation Star – Texas (2014-2021) for antitrust, competition, general commercial litigation, international arbitration, professional liability, and securities, and by *Chambers USA* (2005-2021) as a leading trial lawyer in Texas. In 2020 Alistair was recognized as an Attorney of the Year finalist by the *Texas Lawyer*. Alistair is also a member of the nationally acclaimed American Board of Trial Advocates.

Alistair matches his trial skills with active civic involvement and leadership positions with the State Bar of Texas (Board member) and Houston Bar Association (past President) He is often sought after as a presenter and speaker at various legal events and symposiums, and devotes significant time to pro bono matters, having served on the Board of Directors for the Houston Volunteer Lawyers and Lone Star Legal Aid and currently serving as a Commissioner on the Texas Equal Access to Justice Commission. In addition, Alistair is a fervent supporter of various charities particularly those who support individuals with developmental disabilities. When he was the President of the HBA, Alistair started a program to help individuals with special needs obtain employment with law firms and corporate legal departments.

REPRESENTATIVE EXPERIENCE

• Antitrust and Litigation

- Represented HP, Inc. in pursuing price fixing antitrust claims against optical disk drive manufacturer Quanta Storage. Secured major judgment for HP, which was upheld on appeal.
- Defended Fortune 100 company in a predatory pricing case involving the pricing of airline tickets. Member of trial team.
- Defended a Fortune 100 company in an antitrust case involving allegations of attempted monopolization and exclusive dealing in the medical products industry. Tried the case along with co-counsel Sam Baxter and Bob Atkins.

Business and Commercial Litigation

PRACTICES

Bankruptcy Adversary Proceedings

Class Action & Multi-District Litigation

Professional Liability Defense

Commercial Litigation

Energy Litigation

ADMISSIONS

State Bar of Texas

United States Supreme Court

United States Court of Appeals for the Fifth Circuit

United States District Courts for the Eastern, Northern, Southern and Western Districts of Texas

EDUCATION

J.D., The University of Texas School of Law, with honors, 1989

- Editor, *Texas Law Review*
- Member, Chancellor’s Society

B.A., Vanderbilt University, International Economics and Business, *magna cum laude*, 1986

- **Defended a Fortune 100 company in a billion dollar fraud and breach of contract case on behalf of a Fortune 25 energy company.** Tried the case along with David J. Beck.
- **Defended Morgan Stanley in a fraud case brought by a former customer/ investor.** Lead counsel before the NADA, which ruled in Morgan's favor and awarded it attorneys' fees.
- **Represented Fortune 100 company in breach of contract case related to sale of mid-stream assets.** Trial court granted summary judgment in client's favor and all claims were dismissed.
- **Defended recipients of stock in a shareholder oppression lawsuit.** Mr. Dawson was lead counsel for the individual defendants.

Class Actions and MDL

- **Defended Compaq Computer in four consumer class actions all brought in Beaumont, Texas** in which the plaintiffs sought a nationwide verdict class of all of Compaq's customers. In one of the cases, the Texas Supreme Court reversed the trial court's certification decision. Mr. Dawson worked with David J. Beck and lawyers from Skadden Arps.
- **Lead counsel for energy company in class action brought in Arkansas** regarding price paid by consumers for natural gas. Case was dismissed by Arkansas Supreme Court.

Energy

- **Represented Mobil Oil in oil royalty brought by the General Land Office** alleging that Mobil and others had underpaid royalties because the "posted price" did not translate to market price. In connection with this case, Mr. Dawson represented Mobil on the joint defense steering committee.
- **Successfully tried a case in New York involving an oil and gas prospect in East Texas** on behalf of famed New York developer Sheldon Solow. The case was tried for approximately three weeks in the Supreme Court of New York in Manhattan. Mr. Dawson tried the case along with a lawyer from Weil Gotshal & Manges.
- **Lead counsel for Marathon Oil in a \$50 million dollar royalty dispute** brought in Henderson, Texas (in which more than 200 of the plaintiffs were Henderson residents). After a four-week trial, the jury returned a verdict in Marathon's favor.
- **Defended ExxonMobil in a suit brought by the State of Texas for unpaid royalties.** The trial court granted ExxonMobil's motion for summary judgment and the matter settled while on appeal. Mr. Dawson worked on this case along with David J. Beck.

Intellectual Property

- **Won a multi-million dollar misappropriation of trade secrets case.** Mr. Dawson was lead counsel and obtained a summary judgment on behalf of the firm's client.
- **Represented the defendant in several patent infringement cases** on behalf of Hyundai and Compaq.
- **Successfully tried a patent case on behalf of Fortune 100 company.** Case involved medical products and was tried in Marshall, Texas. Mr. Dawson tried the case along with David J. Beck and counsel from WilmerHale.

Labor/Employment

- **Tried a wrongful termination case on behalf of Martin Brower.** Mr. Dawson was lead trial counsel and tried the case to a jury in Conroe, Texas.

- Represented university in lawsuit challenging reduction in force. Mr. Dawson was lead counsel for the university.
- Represented employer in racial discrimination lawsuit. Trial court granted summary judgment which was affirmed by Fifth Circuit. Mr. Dawson was co-counsel along with Vedder Price.

PI, Products, Mass Tort, Toxic Tort

- Defended a South Korean company in a product liability case in which the plaintiff claimed that a product defect caused a fire in a refinery. The plaintiff was seeking approximately \$70 million in damages. The case was tried for four weeks to a jury in Harris County, Texas who returned a complete verdict in the defendants' favor.
- Successfully defended IBM in products liability cases involving repetitive stress injury filed in Texas. Five cases were brought in various courts throughout the state and summary judgments were granted in all five cases. In connection with those cases, Mr. Dawson served on the National Defense Steering Committee, which was comprised of representatives from all major companies throughout the United States who had been sued for alleged product defects resulting from repetitive stress injury.

Securities and Shareholder

- Represented company in shareholder derivative lawsuit filed after company announced it was merging with competitor. Case was dismissed by trial court. Mr. Dawson was lead trial counsel for the company.
- Represented Fortune 100 Company in securities litigation filed following the collapse of Enron. The Fifth Circuit ruled in favor of our client and claims were dismissed. Mr. Dawson worked with David J. Beck and lawyers from Sherman & Sterling, L.L.P.
- Defended CEO and COO in breach of fiduciary duty and shareholder oppression lawsuit filed by former CEO. Case was settled during trial. Mr. Dawson was lead trial counsel.

Environmental

- Tried case on behalf of pipeline owner whose pipeline was hit by contractor. Pipeline owner sought to recover clean up costs. Jury awarded damages of \$3.5 million. Mr. Dawson tried this case along with counsel from Husch Blackwell L.L.P.
- Represented energy company in dispute with another energy company regarding payment of clean up costs for environmental remediation.

Professional Liability and Defense

- Won summary judgment for law firm in legal malpractice claim where plaintiff was limited partner in limited partnership and claimed that certain information was not disclosed to him. Mr. Dawson was lead counsel for the law firm.
- Won summary judgment for national law firm in legal malpractice case where plaintiffs were seeking millions of dollars in damages as a result of lost opportunity to purchase real estate. Mr. Dawson was lead counsel for the law firm.

HONORS & AWARDS

- ADL Karen H. Susman Jurisprudence Award, 2021
- Recognized as Attorney of the Year finalist by *Texas Lawyer*, 2020
- Named in *Best Lawyers in America* – Commercial Litigation, Litigation – Antitrust,

2012 – 2022

- Recognized in *Chambers USA* in Litigation: General Commercial (Texas), 2005 – 2022
- Recognized by *Benchmark Litigation* as a Local Litigation Star-Texas, 2014 – 2021 and a leading Texas attorney in Antitrust, Competition, General Commercial Litigation, International Arbitration, Professional Liability, and Securities, 2011 – 2018
- Recognized in Thomson Reuters “*Top 100 Super Lawyers – Texas*” and “*Top 100 Super Lawyers – Houston*,” 2019-2020
- Named in Thomson Reuters *Texas Super Lawyers – Business Litigation*, 2004 – 2020
- Houston Bar Association President’s Award, 2012 – 2014
- Recognized as one of the top commercial trial lawyers in Houston by *H Texas Magazine*, 2005 -2012
- Recipient of the State Bar of Texas Presidential Citation, 2004, 2007, 2012

PUBLICATIONS & PRESENTATIONS

- *Litigation Management Start to Finish: Lessons Learned in Trial*, presented at The University of Texas School of Law 41st Annual Corporate Counsel Institute, May 16-17, 2019
- *Avoiding the Legal Malpractice Lawsuit*, presented at the Katy Bar Association, Done-in-a-Day Ethnic Seminar, February 10, 2017
- *7th Amendment, Right to Trial By Jury*, presented at the American Board of Trial Advocates (ABOTA) 2016 Teachers’ Law School, June 18, 2016
- Lessons Learned from Trials involving corporate entities, presented at the [38th Annual Corporate Counsel Institute](#), April 7-8, 2016; May 5-6, 2016
- [“Damages in Commercial Cases,” presented at the State Bar of Texas 38th Annual Course in Advanced Civil Trial – July 2015](#)
- “Recent State and Federal Cases That Might Be of Interest To In-House Counsel,” presented at the Association of Corporate Counsel – 2012 Symposium, August. 2012
- [“Tips for Preparing and Presenting Your Corporate Representative for Testimony,” presented at ACC Litigation Committee Legal Quick Hit, February 2012](#)
- [“BUSINESS TORTS: A Review of Recent Cases & Strategies Involving Various Business Torts,” presented at 28th Annual Litigation Update Institute, January 2012](#)
- “Judicial Selections Panel,” presented at Advanced Personal Injury Course, August and November, 2011
- “Business Torts,” presented at Advanced Civil Trial Course, July, August, October 2011
- [“Lessons Learned from the Trenches,” presented at ACC Symposium, August 2011](#)
- [“Expert Witnesses,” presented at Advanced Evidence and Discovery Course, May 2011](#)
- [“Breach of Fiduciary Duty in Business Litigation,” presented at State Bar of Texas Business Torts Institute, October, 2010](#)
- Early Case Assessment, How to Select and Prepare the FRCP 30(b)(6)

Deposition Witness in E-Discovery, Panelist – October 14, 2009

- Presentation – The 81st Legislative Session – From A Litigation Perspective, September 2, 2009
- Legislative update speech at Harris County Summer CJE Conference, August 2009
- [“Sanctions and Ethical Obligations in E-Discovery,” – presented at UT Technology Law Seminar – May 2009](#)
- [“Damages Update 2009,” – presented at Advanced Evidence & Discovery Course 2009](#)
- [“Evidence and Discovery Update: The Newly Minted Federal Rule of Evidence 502 and Texas Cases in 2008,” – presented at 25th Annual Advanced Litigation Update Institute 2009](#)
- [“Daubert Challenges,” – presented at the 21st Annual Advanced Evidence and Discovery Course, 2008](#)
- [“E-Discovery,” – presented at Association of Corporate Counsel – American Houston Chapter E-Discovery Seminar, April 2, 2008](#)

PROFESSIONAL ACTIVITIES & MEMBERSHIPS

- The American College of Trial Lawyers
- Houston Bar Association, President (2017-2018); Board of Directors; Past Chair, Antitrust Section
- American Board of Trial Advocates (ABOTA), President-Elect Houston Chapter
- Texas Supreme Court Advisory Committee (2001 – Present)
- Texas Association of Defense Counsel
- American Bar Association, Business Litigation and Corporate Counsel Committee
- State Bar Litigation Council (Chair 2007-2008)
- State Bar Litigation Section Committee on Jury Selection (1998 -2002)
- State Bar of Texas CLE Committee (2001-2006 and 2007 – 2011)
- State Bar of Texas Board of Directors
- Texas Bar Foundation, Board of Trustee and Life Fellow, Chair of the Board of Trustees (2022-2023), Fellows Chair (2019)
- Houston Bar Foundation, Life Fellow
- Houston Volunteer Lawyer’s Program, Board of Directors (2004 – 2014), Past Chair
- Lone Star Legal Aid, Board of Directors (2010 – 2016)
- Keeton Fellow, University of Texas School of Law
- Dean’s Roundtable, University of Texas School of Law
- College of the State Bar of Texas
- Editorial Board, *The Advocate*
- Adjunct Professor, University of Houston Law Center
- The University of Texas School of Law Alumni Executive Committee
- Court Administration Task Force
- Equal Access to Justice Commission

COMMUNITY INVOLVEMENT

- Board of Directors, Harris County Constable, Precinct One Reserve
- Theatre Under the Stars
 - Board of Directors, Vice Chairman
 - Chair, Gala, 2009
 - Chair, Development Committee
- The Parish School – Non-Profit school for children with special needs
- Board of Directors, 1999-2004
 - Chair, Capital Campaign
 - Chair, Underwriting Committee, 1998-2002
 - Distinguished Service Award
- Board of Directors, Literacy Advance of Houston, 1995-1999
- Texas Lyceum, Board of Directors
- H.E.A.R.T., Board of Directors, Past Chair

