



## DAVID J. BECK

PARTNER

David J. Beck is consistently recognized as one of our country's best trial lawyers. This recognition has grown from the consistent results he has achieved for his clients in his many years of practice. From the smallest disputes to the billion dollar cases, David understands the importance of each case to his client, and he approaches each with the same intensity and integrity that has served him - and his clients - so well for so long.

For David Beck, every case is a story to be told, and very few trial lawyers can match David's ability to convey that story to the jury. And he knows that the story is best told from the highest moral ground. That is ground on which he has stood his entire career. When David tells a jury he will show them evidence to make a point, you can bet that when he stands up in closing argument he will have honored his word. Maybe that is why so many companies call him with their "bet the company" cases.

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### REPRESENTATIVE EXPERIENCE

**Served as trial co-counsel with Joe Jamail for Clear Channel Communications in a state court action** brought by Clear Channel in San Antonio, Texas for tortious interference with contractual relations against Citigroup, Duetschebank, CreditSuisse, Morgan Stanley, Royal Bank of Scotland, and Wachovia. Clear Channel alleged that as credit markets worsened the banks were attempting to avoid their obligation to loan \$22 billion to fund a leveraged buyout of Clear Channel by two private equity firms. After three months of contentious litigation with the banks, the parties reached a favorable settlement whereby the banks would provide \$18 billion to fund a reworked merger agreement.

**Obtained defense verdict for Memorial Hermann Hospital System in a major antitrust lawsuit** in Texas state court as lead counsel. Assisted by Beck Redden partner Geoff Gannaway, the trial lasted almost two and a half months. The plaintiffs, who were physician-investors in a now defunct physician-owned hospital in West Houston, claimed that Memorial Hermann was responsible for their hospital's failure and asserted antitrust claims and claims for tortious interference with prospective and existing business relationships. The plaintiffs sought millions in actual damages, plus several millions in attorneys' fees. The jury entered a complete defense verdict.

**Lead trial counsel for Level 3 Communications, Global Crossing, and Qwest Communications in a patent infringement action** tried to a federal court jury in Marshall, Texas. The companies, builders/owners of the cable infrastructure of the internet, were accused of infringing patent claims related to voice-over-internet-telephony ("VOIP"). The case settled favorably after the patent owner presented its evidence to the jury.

**Lead trial counsel for Becton Dickinson ("BD") in a patent infringement lawsuit** brought by Retractable Technologies Inc. (RTI). RTI claimed BD had infringed patents relating to retractable syringes. The case was tried to a jury before United States District

Top Ranked

CHAMBERS  
USA

- 2018 -

David J. Beck

NAMED IN  
**BEST LAWYERS**  
IN AMERICA 1983 - 2018  
Bet-the-Company Litigation  
Commercial Litigation  
Legal Malpractice Law - Defendants  
Litigation: Antitrust, Environmental,  
Intellectual Property, Patent,  
Natural Resources Law



2018



**AV® PREEMINENT RATED  
MARTINDALE HUBBELL**

Judge David Folsom in Marshall, Texas. RTI sought damages totaling \$425 million. However, the jury only awarded damages of \$5 million and found the alleged infringement was not willful.

**Lead trial counsel for ExxonMobil Corporation in a breach of contract lawsuit** brought by a former ExxonMobil executive who was seeking millions of dollars. The lawsuit also questioned the validity of the company-wide executive compensation program. The jury returned a complete defense verdict.

## **PROFESSIONAL ACTIVITIES AND MEMBERSHIPS**

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State Bar of Texas (President, 1995-1996)

Fellow, Texas Supreme Court Historical Society (Chair, 2012-2017)

Fellow, American College of Trial Lawyers (President, 2006-2007)

American College of Trial Lawyers Foundation (President, 2013-2017)

Fellow, International Academy of Trial Lawyers

Diplomate, American Board of Trial Advocates

Member, Warren E. Burger Society for the National Center for State Courts

International Association of Defense Counsel (President, 1991-1992)

## **AWARDS AND RANKINGS**

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Named in *Best Lawyers in America* for Bet-the-Company Litigation, Commercial Litigation, Legal Malpractice Law – Defendants, Litigation – Antitrust, Litigation – Environmental, Litigation – Intellectual Property, Litigation – Patent, Natural Resources Law, 1983 - 2018

Named in *Benchmark Litigation* as a Litigation Star - United States, Top Trial Lawyers - United States, and Local Litigation Star - Texas, 2018

Recognized in *Chambers USA* with a Band 1 ranking, the highest ranking attainable, in Litigation: Trial Lawyers (Nationwide); Litigation: Energy & Natural Resources (Texas); Litigation: General Commercial (Texas), (2013-2018)

Recognized in *The Legal 500 United States* as a Leading Lawyer, Energy Litigation: Oil and Gas, 2018

Recognized in 2017 *Lawdragon 500 Leading Lawyers Hall of Fame*

Recognized in the inaugural 2017 *Legal 500 Hall of Fame*: Dispute Resolution - Leading Trial Lawyers

*Benchmark Litigation*, "Top 100 Trial Lawyers in America," 2017

Recognized in *Chambers USA* as a Leader in their Field for Litigation: Energy & Natural Resources (Texas), Litigation: General Commercial (Texas), Litigation: Trial Lawyers (Nationwide), 2013-2017

Recognized by *Thomson Reuters* "Top 10 Super Lawyers - Texas," "Top 100 Super Lawyers - Texas," "Top 100 Super Lawyers - Houston," 2003 - 2017

Recipient of the *Chrys Dougherty Good Apple Award* by Texas Appleseed (2016)

Recipient of the *Luther (Luke) H. Soules III Award* by the Litigation Section of the State Bar of Texas (2016)

Recipient of the *Lifetime of Excellence in Advocacy Award* by the Texas Association of Civil Trial and Appellate Specialists (TACTAS) (2015)

Recipient of the 2015 *Trial Lawyer of the Year* by the Texas Chapter of the American Board of Trial Advocates (TEX-ABOTA)

Named Global Commercial Litigation Lawyer of the Year, *Who's Who Legal*, 2014

Recognized as a 2013 *Lawyer of the Year* in Texas for Antitrust Law by *Texas' Best Lawyers in America*

Recognized in *Texas Lawyer's 2012 Go-To Guide* as one of the top-notch lawyers for commercial litigation

Recognized in the *Lawdragon 500 Leading Lawyers in America*, 2012

Recipient of the American Inns of Court Professionalism Award at the Fifth Circuit Judicial Conference, 2011

Named by *National Law Journal* as one of the top 10 trial lawyers in the United States and one of the top trial lawyers in the Southwest

Named one of the 25 Greatest Lawyers of the past quarter century, 25th Anniversary issue of *Texas Lawyer Magazine*, 2010

Named Houston Lawyer of the Year in "Bet-the-Company" Litigation, *Best Lawyers*, 2009

Appointed to the prestigious Judicial Conference Standing Committee on Rules of Practice and Procedure by United States Supreme Court Chief Justice William Rehnquist, 2004. *The Committee's members include some of the leading judges, academicians, and practitioners in the United States.* Re-appointed to a 3-year-term on the Standing Committee by Chief Justice John Roberts, 2007

Recipient of the Leon Green Award from the Texas Law Review Association for outstanding contributions to the legal profession, 2007

Recipient of The University of Texas Law School Faculty Award

Honored with the Anti-Defamation League's Jurisprudence Award in 2005. This award is presented annually to an outstanding member of the legal community who exhibits an exceptional commitment to equality, justice, fairness and community service.

Voted by a poll of Texas lawyers as a "Go To Lawyer for Lawyers in Trouble" in *Texas Lawyer*, 2002

Outstanding Alumnus of The University of Texas Law School, 2000

Distinguished Alumnus of The University of Texas at Austin, 2010

Distinguished Alumnus of Lamar University, 1999

## **RELATED NEWS**

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Beck Redden Recognized as a Leading Energy Firm in The Legal 500  
06.11.18

Beck Redden Maintains Top Ranking in 2018 Chambers USA  
05.11.18

Beck Redden Renews Lease for Another Decade  
12.08.17

UPDATE: Texas Fifth Court of Appeals Denies ETP Rehearing Bid in Pipeline Case  
09.15.17

UPDATE: Texas Fifth Court of Appeals Denies ETP Rehearing Bid in Pipeline Case  
09.13.17

## **PUBLICATIONS AND PRESENTATIONS**

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David J. Beck has won various awards for his legal writing. He has published numerous law journal articles and has appeared as a lecturer on many bar association and law school continuing legal education programs. Published works include:

Co-Author, "The Ethical Boundaries of Reviewing Jurors' Internet Presence: National Highlights," *The Computer & Internet Lawyer*, Vol. 34, No. 6 (June 2017)

Co-Author, Chapter 36 ("Jury Selection") *Business and Commercial Litigation in Federal Courts, Fourth Edition*, American Bar Association Section of Litigation Database updated (2017)

Co-Author, "The Ethical Boundaries of Reviewing Jurors' Internet Presence: The Need for a Rule in Texas," *The Advocate*, a publication of the State Bar of Texas Litigation Section, at 51 (Fall 2016)

Co-author, Texas Supreme Court Adopts Judicial Error Rule in Legal Mal Cases, The Texas Lawbook, July 2016

Co-Author, the 1999-2017 versions of *O'Connor's Annotated Civil Practice and Remedies Code*

"A Civil Justice System With No Trials", Tex. B.J. Vol. 76, No. 11 (Dec. 2013)

Co-Author, Chapter on "Damages," Texas Business Litigation (2013)

"*The Consequences of the Vanishing Jury Trial: Does Anyone Really Care?*", 1 Hous. L. Rev. e29 (2010)

"*Judicial Independence: Woe to the Generation that Judges the Judges?*", 71 Tex. B.J. 572 (2008)

Co-author, "*The Vitality of Barcelo After Ten Years: When Can An Attorney Be Sued For Negligence By Someone Other Than His Client?*", 58 Baylor L. Rev. 371 (2006)

*Perspective: Separation of Powers - Is Our Judiciary Under Serious Attack?*", 67 Tex B.J. 974 (2004)

"*The Legal Profession at the Crossroads: Who Will Write the Future Rules Governing the Conduct of Lawyers Representing Public Corporations?*", 34 St. Mary's L.J. 873 (2003)

*Legal Malpractice in Texas*, originally published by the *Baylor Law Review*, 43 Baylor L. Rev. (1991); Second Edition, 50 Baylor L. Rev. 547 (1998)

## **COMMUNITY INVOLVEMENT**

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Named by Texas Governor Greg Abbott as a Regent of The University of Texas System in 2015, confirmed by the Texas Senate

Member, MD Anderson Board of Visitors

Appointed by UT Regents to UT Austin Intercollegiate Athletic Council for Men, 2013-2015

Chair, Board of Trustees of the Center for American and International Law (CAIL), 2010-2014

"Honorary Overseas Member" of the Commercial Bar Association (COMBAR)

Life Member, University of Texas Law School Foundation Board of Trustees (President, 2002 - 2006)

## **EDUCATION**

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L.L.B., The University of Texas School of Law

B.S., Lamar University

## **ADMISSIONS**

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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