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Akerman, LLP

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Date of Birth: 30 May 1962 in USA

Citizenship: USA

Present Position: Akerman LLP – Regional Managing Partner

Dispute Resolution Experience and Training (USA, ASIA)

Arbitrator and Attorney – International, Energy, Commercial, and Intellectual Property.

- Pacific International Arbitration Centre (PIAC)
- London Court of International Arbitration (LCIA)
- American Arbitration Association (AAA)
- International Centre for Dispute Resolution (ICDR)
- International Institute for Conflict Prevention and Resolution (CPR)
- International Chamber of Commerce (ICC)
- Dubai International Arbitration Centre (DIAC)

Arbitration: Arbitrator, arbitration counsel, and trial counsel in a wide variety of international and domestic complex business disputes, commercial, and energy related disputes, including these representative cases: (1) Chair/Sole Arbitrator in complex commercial contract matter involving engineering, design and project management issues in mining and energy industries; (2) Chair/Sole Arbitrator in multi-million dollar energy matter regarding commercial contract in natural gas recycling, extraction, green energy business and allegations of contract breach and fraud; (3) Arbitrator on energy panel in multi-million dollar action involving contract and financial issues relating to acquisition and divestiture of numerous producing oil and gas properties; (4) Arbitrated 9-figure international disputes involving complex contractual and governmental issues regarding acquisition and divestiture of oil and gas interests in South America; (5) Arbitrator on commercial panel in breach of commercial contract action with associated fraud counterclaims involving stock and insurance issues; (6) Arbitrated claims by independent oil and gas producers in multi-million dollar action against drilling companies in commercial transaction disputes; (7) Arbitrated multi-million dollar commercial and intellectual

property disputes between international medical device company and inventor/surgeon; (8) retained as expert intellectual property consultant in arbitration of business disputes involving copyright and trademark claims between two international manufacturers; (9) Arbitrated multi-million dollar commercial matter between international financial institution and group of investors; (10) Arbitrated matter involving international business and manager of division in fraud and breach of contract matter; (11) Sole Arbitrator in oil products contract disputes; (12) Chair in arbitration of IP case involving medical devices, licenses, royalties, (13) Arbitrator in fraud, breach of fiduciary duty regarding stock transfers, (14) Arbitrator in multi-million dollar real estate, private equity matter re: operating agreements, design and construction of refinery; (15) Chair in multi-million dollar natural gas pipeline matter involving tariffs, contract interpretation, gas gathering, transportation issues.

Arbitration Training: AAA Training Course, What We Have Here is a Failure to Communicate (Faculty, 2014); International Association of Defense Counsel (IADC) - Comparing and Contrasting Major European and American Arbitral Forums, 2013 (Speaker); IADC - The Basics of Dispute Resolution in Major Asian Economies, 2013; IADC, International Arbitrations: The Dos and Don'ts, 2013; AAA Webinar, Arbitration Strategy in IP/Technology Disputes, 2013; The Company in Crisis Supercourse, The Lost Art of Arbitration, 2013; Litigation Management Supercourse: Getting Your Mojo Back Regarding Arbitration, 2012; AAA Webinar, Electronic Discovery in Arbitration: What You Need to Know, 2009; International Association of Defense Counsel Annual Meeting: The Decision to Seek Arbitration, 2012; AAA Arbitration Awards: Safeguarding, Deciding & Writing Awards (ACE001), 2009; AAA Arbitration Fundamentals and Best Practices for New Arbitrators, 2009.

Career: Akerman LLP – Regional Managing Partner (Texas), 2016 – present; Chairman/Partner, Beirne, Maynard & Parsons, L.L.P., 1994-2016; Associate, Vinson & Elkins, 1989-94; Intern, United States Court of Appeals for the Fifth Circuit, 1989; Land, Natural Gas, and Legal Departments, Sohio Petroleum, British Petroleum, 1984-89; Petroleum Landman Intern, Union Texas Petroleum, 1983.

Experience: Over 25 years of experience in complex international and energy arbitrations and lawsuits: oil & gas, energy, chemical, commercial, international and intellectual property matters, including disputes relating to: upstream and downstream agreements and operations, alternative energy, biofuels, pipelines, supply agreements, exploration, production, refining and processing, service company issues, title, drilling, royalty, transportation, catastrophic events, accounting, international, fiduciary duty, fraud, products liability, environmental, rig and plant construction matters. Represents plaintiffs and defendants (apx 50/50). Also experienced with intellectual property, including disputes involving patent, trademark, copyright and trade secrets.

Representative jury trials and matters - REPRESENTED: (1) international energy consortium in arbitration regarding Colombian oil reserves; (2) international client in Russian oil interests dispute; (3) international oil services company in disputes with Middle Eastern distributor; (4) natural gas pipeline company regarding \$200 million acquisition dispute with energy company; (5) investors in disputes with exploration company involving foreign oil and gas fields; (6) international chemical company in \$30 Million commercial contract dispute; (7) oil and gas company in disputes involving allegedly defective land rigs; (8) exploration & production company in lawsuits involving royalty interests; (9) national industrial valve manufacturer in counterfeit (trademark infringement) case; (10) global German manufacturer against patent

infringement claims in Oklahoma federal jury trial; (11) international manufacturer and part of trial team obtaining the first jury verdict in American jurisprudence involving infringement of foreign patent; (12) automotive alteration company in the celebrated Texas trade secret case of T-N-T Motor Sports v. Hennessey Motor Sports; (13) chemical manufacturer in multi-million dollar wrongful termination and environmental matter; (14) French gas company in construction lawsuit regarding process tower issues; (15) international manufacturer in jury trial on complex commercial contracts; (16) international pharmacy in libel and malicious prosecution claims; (17) premiere Texas school in "nuisance" trial; (18) international construction company in multi-million dollar suit; (19) condemnors and condemnees in Eminent Domain jury trials; (20) general contractor in construction jury trial involving liens filed by subcontractor; (21) Italian manufacturer in various product liability matters filed in United States; (22) Dutch equipment company regarding various U.S. corporate issues; (23) international Hollywood movie producers in federal trademark infringement case; (24) co-investor in technical school against shareholder oppression and breach of fiduciary duty claims in jury trial; (25) pipeline partnership in condemnation proceedings aimed at expanding the scope of earlier pipeline easement grants; (26) international energy services company in jury trial against competitors for misappropriation of trade secrets, fraud and breach of contract.

HONORS, AWARDS, RECOGNITIONS: Top Rated Lawyer in Alternative Dispute Resolution, American Lawyer Media/Martindale Hubbell, 2013; Texas' "Top Rated Lawyer" of 2014 (and 2012) by Martindale Hubbell; "Texas Super Lawyer," Corporate Counsel Edition, 2008-2010, 2013; "Houston's Top Lawyers," H Texas Magazine, 2007-2013; "Texas Super Lawyer," Texas Monthly Magazine, 2004, 2006-2017; "Houston Top Lawyers For The People," H Texas Magazine, 2009; "Top 40 Texas Lawyers Under 40," Texas Lawyer, 2001; Houston Lawyer Award, Outstanding Legal Article of the Year, 1993; Hirsch, Glover, Robinson & Sheiness Award, Excellence in Insurance Law, 1989; Cecil Cook Award, Best Article on Real Property Law, 1988.

Professional Licenses: U.S. District Court: Northern, Southern, Eastern and Western Districts of Texas; U.S. Court of Appeals: Fifth, Eleventh and Federal Circuits; U.S. Supreme Court; all Texas state courts.

Professional Associations: Hong Kong International Arbitration Centre (HKIAC); International Chamber of Commerce (ICC) (North America ICC Int'l Court of Arbitration); London Court of International Arbitration (LCIA); American Arbitration Association (AAA); Vienna International Arbitral Centre (VIAC); Institute for Energy Law (IEL) (Advisory Board); General Counsel Forum (Board of Directors, Houston Chapter); International Association of Defense Counsel (Alternative Dispute Resolution Committee (Vice Chair); Business Litigation Committee (Chair, Past Vice Chair); American Bar Association (Technology for the Litigator Committee, Co-Chair; Membership & Diversity Subcommittee); State Bar of Texas (Intellectual Property Law Section); Houston Bar Foundation (Fellow); Texas Bar Foundation (Fellow); American Bar Foundation (Fellow).

Education: University of Texas (BBA, Business, Petroleum Land Management-1983); South Texas College of Law (JD, *cum laude* 1989). Board of Advocates, South Texas Law Review; Intern, United States Court of Appeals for the Fifth Circuit (Honorable Edith H. Jones).

Publications and Speaking Engagements:

PUBLICATIONS: "AAA, JAMS and CPR Comparison Chart, A Practical Comparison of Major Arbitration Forums in the United States" (PRACTICAL LAW JOURNAL, February/March 2014); "Arbitration Confidentiality, What You Thought You Knew Can Hurt You - A Comparison of Confidentiality (Or Lack Thereof) in Major Domestic and International Arbitration Forums" (TEXAS BAR JOURNAL, Feb. 2014); Co-Author, "What You Always Wanted to Know About ADR," IADC ADR Newsletter, June 2012; Co-Author, "What You Wanted to Know About Arbitration," TEXAS BAR JOURNAL, Sept 2010; Co-Author, "5 Things You Always Wanted to Know About Arbitration," IADC ADR Newsletter, Dec 2009; Co-Author, "10 Major Arbitration Issues Recently Addressed By Courts," DISPUTE RESOLUTION JOURNAL, Aug/Oct 2009; Co-Author, "The Art of (Litigation PR) War," CORPORATE COUNSEL, April 2013; Co-author, "Sporting Events - Ticket to a Lawsuit?," HOUSTON LAWYER, Aug, 2011; "Cyber Squatters: How Can Cyber Squatters Affect My Business?," TEXAS MONTHLY MAGAZINE, October 2007; "Deadly Weapons Part I and II: How the Law Really Views the Hands and Feet of a Martial Artist," BLACK BELT MAGAZINE, Aug and Sept 2007; "Put On Your Parachute," LAW TECHNOLOGY NEWS, November 2006; "Viral Videos Publicize - But Infringe," THE NATIONAL LAW JOURNAL, May 2006; "The Art of War and Public Relations," HOUSTON BUSINESS JOURNAL, April 2006; "When It's None of Their Business," LEGAL TIMES, June 2005; "Protecting Your Company's Crown Jewels - What Every Corporate Counsel Should Know About Trade Secrets and Corporate Espionage," IP LITIGATOR, March/April 2005; "Judicial Control Over Questionable Jury Verdicts," FED LAWYER, June 2004; "Trade Secrets & Corporate Espionage, Protecting Your Company's Crown Jewels," ACCA DOCKET, Association of Corporate Counsel, April 2004; "When Advertising Messages Cross the Legal Line," HOUSTON BUSINESS JOURNAL, Nov 2003; "Protect Your Firm's Intellectual Capital," HOUSTON BUSINESS JOURNAL, Jan 2003; "Inside Story On Trade Secrets," AMERICAN BAR JOURNAL, Oct 2000; "Can You Keep A (Trade) Secret?," CORPORATE LEGAL TIMES, Sept 2000; "What Insureds Should Know About Protecting Products," CLAIMS MAGAZINE, April 2000; "Geophysical Trespass in Texas - An Overview," TEXAS BAR JOURNAL, Feb 1995; "Mind Over Body: The Physical Injury Requirement," TORT & INSURANCE LAW JOURNAL, Fall 1992 (referenced by the supreme courts of Florida and Alaska); "The Legislative Continuance," HOUSTON LAWYER, Nov 1992; "Reasonable Medical Probability - Meeting the Standard," HOUSTON LAWYER, July 1991.

SPEAKING ENGAGEMENTS: "Energy Arbitration", Texas State Bar 2016 Oil and Gas Disputes Course (Houston); "Fifty Shades of Arbitration," 2015 Litigation Management in a New York Minute Conference (NYC); "Arbitration – What Works, What Doesn't, and What Some Trial Attorneys Just Don't Get," 2014 (San Diego); "50 Shades of Energy Arbitration," 2014 Energy Law Institute (Houston, Texas); AAA Training Course, What We Have Here is a Failure to Communicate, 2014; "Harness the Power of Arbitration to Obtain A Successful Award," 2013 American Law Media (ALM) Course, High Stakes Litigation (NYC); "Comparing and Contrasting Major European and American Arbitral Forums," 2013 International Association of Defense Counsel (IADC) Annual Meeting (Hawaii); "Getting Your Mojo Back Regarding Arbitration," 2012 Trial Network Litigation Management Super Course (NYC); "The Decision to Seek Arbitration," 2012 IADC Annual Meeting (North Carolina); "Business Courts - Coming to a State Near You," 2009 IADC Conference (Colorado Springs); "Legal Transformation 2020,"

2008 Texas General Counsel Forum (Austin, Texas); "What Should U.S. Lawyers Expect When Hiring Foreign Counsel?", 2008 IADC Forum (Hawaii); "Sins of IP Strategy - Why Winning IP Cases Are Lost," 2007 General Counsel West Coast Conference (San Francisco); "Amendments to the FRCP, Exploring the Day-to-Day Impact," 2007 Trial Tactics & Technology Conference (NYC); "Leveraging Technology For Case Assessment," 2007 Legal Tech Conference (NYC); "Corporate Lawyers - The New Whistleblower Under Sarbanes Oxley?," 2006 IADC Meeting (Rome).