

## **Adam P. Schiffer**

### **Partner**

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P: 713.357.5151

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### **Practice Areas**

Arbitration

Trial

### **Education**

University of Houston School of Law, J.D., 1986; Editor, *Houston Law Review* (1985-1986); Order of the Coif

Dickinson College, B.A., 1983, magna cum laude, Phi Beta Kappa; recipient of William Lennox Avis History Prize

### **Admissions**

State Bar of Texas

U.S. Court of Appeals for the Third and Fifth Circuits

U.S. District Court for the Eastern, Northern, Southern, and Western Districts of Texas



### **OVERVIEW**

Adam has built a reputation as a premier trial and arbitration lawyer. His results speak for themselves: he has tried over 40 cases to juries and has arbitrated 25 cases through final hearing. His jury verdicts have been profiled by the National Law Journal, Reuters, Bloomberg, CNBC, and the Houston Chronicle, among others.

A formidable courtroom opponent, Adam is regularly asked to take over complex, hard-to-win cases on the eve of trial. In the past 10 years, he has recovered more than \$240 million for his plaintiff clients in litigation, domestic arbitrations, and international arbitrations. On the defense side, he has handled matters ranging from bet-the-company cases to individual claims such as corporate malfeasance, securities fraud, and breaches of fiduciary duty.

Adam has a strong track record in the arbitral arena, handling domestic and international disputes concerning the construction of power plants, oil refineries, and offshore drilling platforms, as well as the interpretation of joint operations agreements, farm-in agreements, and other energy industry-specific contracts. He has arbitrated matters before the International Chamber of Commerce (ICC), the London Court of International Arbitration (LCIA), under the Rules of the United Nations Commission on International Trade Law (UNCITRAL), the International Centre for the Settlement of Investment Disputes (ICSID), JAMS, and the American Arbitration Association (AAA). His arbitrations have included disputes arising in Argentina, China, the former Soviet Union, India, Mexico, Norway, Peru, Trinidad & Tobago, and Turkey.

Adam started his legal career at Vinson & Elkins, where he was a partner in the Litigation group handling a wide variety of business disputes. He later joined King & Spalding, where he was co-head of the International Arbitration group before co-founding Schiffer Hicks Johnson in 2007.

### **NOTABLE EXPERIENCE**

#### **Jury Trials**

- Retained just four months before trial to serve as lead trial lawyer representing the defendant, an oil and gas exploration and development company, in a conversion and negligence case. Plaintiff sought \$25 million in actual damages and unspecified punitive damages based on a claim that our client produced gas (through casing leaks) from zones owned by plaintiff. After an eight-week jury trial, the jury returned a verdict in our client's favor on all counts.

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- Serving as co-lead counsel, represented the plaintiff on its breach of contract and quantum meruit claims in a construction lawsuit. After a two-week trial, the jury returned a unanimous verdict in favor of our client, awarding \$34.5 million in damages, the full amount sought. The case later settled for \$20 million.
- Represented the plaintiff as lead counsel in a tortious interference with contract lawsuit arising out of a contract to manufacture and wholesale frozen oriental-style dinners. After a six-day trial, the jury returned a verdict of \$14.5 million for our client, the full amount sought. The case was later settled for \$4 million when the defendant liquidated its business following the entry of judgment.
- Served as lead counsel representing the plaintiff in a breach of contract and fraud lawsuit involving breach of a letter agreement to purchase a company. After a five-week jury trial, the jury returned a verdict in favor of our client for approximately \$16 million.

### **Arbitrations**

- Represented the respondent, an engineering firm, in an ad hoc construction arbitration. The claimant, the owner of the offshore production platform at issue, sought \$67 million for reimbursement of expenses associated with certain warranty repairs and for deferred production damages. The tribunal awarded the claimant \$6.5 million in warranty expenses—substantially less than half of respondent's last offer of settlement to avoid arbitration.
- Hired just two weeks before final hearing, took first chair representing the claimant in a breach of contract case involving distribution of electricity to a region of Turkey. Turkish law applied at the hearing, which took place in Geneva. Our client was awarded \$28 million, paid by the Turkish government.
- Served as first chair representing the claimant operator of an oil and gas lease off the coast of India in an LCIA arbitration to resolve a joint operations agreements dispute. Indian law applied in the case, which was tried for two weeks. Obtained an award in favor of our client entitling it to sole possession of gas property worth \$30 million for a payment to respondent of a discounted book value of less than \$4 million.
- Represented the respondent/counter-claimant in an ICC arbitration over the construction of a power plant in Peru. We obtained an award of approximately \$10 million on our client's counterclaim with a finding of no liability on the respondent's claims. After the award was affirmed on appeal by the federal district court, we settled the case for the full \$10 million ICC arbitration award.
- Represented the claimant as co-lead counsel on a breach of contract claim involving the modernization of an oil refinery in Siberia, in the former Soviet Union, decided under Russian law. Three arbitrators, including a Queen's Counsel and then-presiding judge of the World Court, conducted a two-week arbitration in London, England, and rendered a final award of approximately \$14 million in favor of our client, which was paid in full by the respondent.

### **Honors and Awards**

- Top Energy and Natural Resources Litigator, Top Commercial Litigator, *Chambers USA* (10 years)
- Leading International Arbitration Lawyer, *Euromoney's Experts Guide* (10 years)
- International Arbitration, *Best Lawyers* (10 years)
- Leader in International Construction Disputes, *Cross-Border Construction and Projects Handbook*

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- Texas Super Lawyer, Litigation (over 20 years)
- Top 100 Houston Texas Super Lawyer (10 years)
- Top 100 Texas Super Lawyer (several years)
- Board Certified in Civil Trial Law by the Texas Board of Legal Specialization (1993-present)

**PROFESSIONAL AFFILIATIONS**

- Elected member, American Board of Trial Advocates
- American Bar Association
- American Bar Foundation
- Houston Bar Association
- Houston Bar Foundation