

## Adam M. Dinnell

### Partner

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+1 713 357 5160

### Practice Areas

Trial

### Education

Tulane University Law School, J.D., 2006,  
cum laude

University of Notre Dame, B.A., 2003

### Admissions

State Bar of Texas

U.S. Supreme Court

U.S. Court of Appeals for the Fifth Circuit

U.S. Court of Federal Claims

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

U.S. Court of Appeals for the Ninth and  
Tenth Circuits

U.S. Judicial Panel on Multidistrict Litigation

U.S. District Court for the Southern District  
of California, Northern District of Florida,  
Southern District of Florida, Northern  
District of Georgia, Southern District of  
Iowa, Western District of Kentucky, Eastern  
District of Louisiana, Eastern District of  
Michigan, District of Oregon, and Western  
District of Pennsylvania

District of Columbia Superior Court



### OVERVIEW

Adam is a trial lawyer who has handled some of the highest-profile tort cases of the past decade, including suits related to the Flint water crisis, Hurricane Katrina, and the 2001 anthrax attacks. Since joining SHJ, he has focused on complex commercial and toxic tort matters, successfully trying several multimillion-dollar cases for leading companies in the oil and gas industry.

Clients value Adam's ability to translate complicated scientific and technical subjects—from strip mining practices and fracking techniques to bacterial genomics—into straightforward, accessible presentations to judges and juries. He has presented or cross-examined experts in more than two dozen disciplines, including allergy-immunology, cardiology, combustion engineering, disaster science, drilling engineering, economics, epidemiology, geology, industrial hygiene, infectious disease, metallurgy, mine engineering, molecular biology, natural gas trading, pipelines, pulmonology, toxicology, and water engineering.

Over his career, Adam has tried more than 25 cases and argued before numerous courts across the country, including U.S. courts of appeals, U.S. district courts, state courts, and the U.S. Judicial Panel on Multidistrict Litigation (MDL). As a veteran of multiple MDLs, he is well-versed in MDL strategy and procedure.

Previously, Adam spent a decade as a trial lawyer for the U.S. Department of Justice (DOJ), Civil Division, where he defended the United States in complex, high-stakes civil litigation in federal courts nationwide. He served as senior trial counsel in the Department's Environmental Tort Litigation Section, managing all aspects of mass tort and toxic tort cases. Notably, Adam represented the United States as lead or deputy lead counsel in several high-profile matters, including litigation relating to water quality in Flint, MI; formaldehyde exposures in FEMA trailers used after Hurricane Katrina; and a deadly outbreak of Legionnaires' disease at the VA hospital in Pittsburgh, PA. Adam's varied experience also includes prosecution of criminal cases for the U.S. Attorney's Office for the District of Columbia.

**Adam's work ethic and devotion to the matter are excellent.  
Most of all, I found his judgment to be superb.**

— Attorney-client Steve Gerdes

A frequent instructor for law school trial advocacy programs, Adam regularly speaks on a variety of litigation topics, including the use of scientific evidence and strategic case development. Throughout his career, he has been heavily involved in mentorship and pro bono work, serving as a DOJ mentor coordinator, a Houston Bar Association mentor, and pro bono counsel for individual clients in both the District of Columbia and Houston.

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### NOTABLE EXPERIENCE

#### Energy and Natural Resources

- Tried multimillion-dollar federal case on behalf of a gas drilling company involving the provision of oilfield services. Successfully obtained a no liability verdict for the client.
- Tried multimillion-dollar contractual dispute involving fracking equipment in U.S. bankruptcy court. Successfully obtained a defense ruling for the client.
- Tried \$100 million contractual dispute involving natural gas sales.
- Represented mineral owner in dispute with mining company concerning ownership rights. Presented argument and evidence during multi-day temporary injunction hearing.
- Represented an energy and resources consulting company at arbitration involving a million-dollar business valuation dispute.
- Successfully obtained dismissal and an award of sanctions in favor of client under the Texas Citizens' Participation Act in response to a \$35 million tortious interference suit brought against client by a wind energy developer.

#### Toxic Torts

- Represented the United States as lead counsel in all claims and cases filed against the United States stemming from the federal response to the Flint Water Crisis in Flint, MI.
- Represented the United States as lead counsel in \$50 million litigation arising from an outbreak of Legionnaires' disease at the VA Hospital in Pittsburgh, PA. Led a team responsible for litigating over two dozen cases and claims, including many alleging wrongful death.
- Represented the United States as deputy lead counsel in \$100 billion multidistrict product liability litigation featuring 40,000 plaintiffs who alleged injurious formaldehyde exposures due to the government's provision of emergency trailers following Hurricane Katrina. Oversaw all scientific/medical aspects of the case. Obtained the dismissal of all claims against the government by drafting a series of motions based on never-before-used state emergency management statutes. Later argued before the U.S. Court of Appeals for the Fifth Circuit and obtained a published affirmance. *In re: FEMA Trailer Formaldehyde Prods. Liab. Litig.*, 668 F.3d 281 (5th Cir. 2012).
- Represented the United States as lead counsel in \$90 million action brought by nearly 200 plaintiffs who alleged take-home exposures to lead and cadmium due to computer recycling operations at a federal correctional institution in Marianna, FL. Engaged in significant bellwether plaintiff discovery and subsequently secured the voluntary dismissal of all claims.
- Represented the United States in multidistrict litigation stemming from alleged water contamination at Camp Lejeune, NC.
- Represented the United States in a wrongful death case brought by the family of the first person to die from the 2001 anthrax mail attacks. Jointly handled the mediation at the close of discovery, resulting in resolution.
- Represented the United States as appellate counsel in an appeal stemming from the dismissal of personal injury and wrongful death claims related to toxic mold contamination. Argued before the U.S. Court of Appeals for the Tenth Circuit and obtained a published affirmance. *Garcia v. U.S. Air Force*, 533 F.3d 1170 (10th Cir. 2008).
- Represented the United States as lead counsel in a case brought by an electrical

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cooperative that alleged federal firefighters negligently caused the destruction of their property during a wildfire in eastern Oregon. Successfully obtained dismissal of the action.

- Represented the United States in a case brought by a family alleging serious heart and brain injuries caused by alleged exposures to carbon monoxide in a government facility.
- Represented the United States in a case brought by a plaintiff alleging debilitating neurological problems caused by exposure to toxic mold in a government facility. Following the production of expert reports, secured a voluntary dismissal.
- Represented the United States as lead counsel in a wrongful death suit brought by the family of a U.S. magistrate judge. Successfully obtained dismissal of the action.

### **Other**

- Represented individual in a healthcare non-competition dispute against former employer.
- Representing individuals in high-visibility matters involving the Catholic Church abuse scandal in Houston, TX, and the wrongful death of a Peace Corps volunteer.
- Pro bono, representing death row inmate Rob Will in habeas proceedings before the U.S. Court of Appeals for the Fifth Circuit.
- Aided the DOJ Antitrust Division in the Aetna-Humana merger litigation. Assisted the trial team during a two-week bench trial that resulted in the merger being enjoined.
- Represented the United States in the prosecution of six defendants who, as part of the "Occupy DC" movement, took over a government building in Washington, D.C. After a highly publicized jury trial, secured guilty verdicts as to all six defendants.
- Represented the attorney general as appellate counsel in an appeal stemming from a decision of the Board of Immigration Appeals. Argued before the U.S. Court of Appeals for the Ninth Circuit and obtained a published affirmance. *Toufighi v. Mukasey*, 538 F.3d 988 (9th Cir. 2008).

### **RECOGNITIONS**

- 40 & Under Hot List, *Benchmark Litigation* (2021)
- "On the Rise" Texas Legal Excellence Award, ALM Media and *Texas Lawyer* (2021)
- Fellow, Texas Bar Foundation (2021)
- Department of Justice Antitrust Division Assistant Attorney General Award (2017)
- Department of Justice Civil Division Training & Professional Development Award (2016)
- Recognized by the Attorney General as an "Outstanding Mentor" (2015)
- Department of Justice Civil Division Perseverance Award (2014)
- Department of Justice Civil Division Special Commendation for Outstanding Service (2012)
- Department of Justice Civil Division Special Commendation for Outstanding Service (2010)
- John W. Douglas Award for Pro Bono Service (2010)
- Department of Justice Civil Division Rookie of the Year Award (2009)

### **PUBLICATIONS AND SPEAKING ENGAGEMENTS**

- "Using the 'Private Individual Under Like Circumstances' to Your Advantage: The Analogous Private Liability Requirement Under the Federal Tort Claims Act," *U.S. Attys' Bulletin*, Vol. 59 (January 2011)
- Co-author with Adam J. Russ, "Legal Hurdles to Developing Wind Power as an Alternative Energy Source in the United States: Creative and Comparative Solutions," *27 NW. J. INT'L L. & BUS.* 535 (2007)

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**AFFILIATIONS**

- Mentor, Houston Bar Association (2019-present)
- Attorney disputes arbitrator, Houston Bar Association (2019-present)
- Pro bono counsel, Rob Will, Texas Death Row Inmate (2018-present)
- Federal Bar Association (2017-present)
- Houston Bar Association (2017-present)
- Houston Notre Dame Alumni Club (2017-present)
- Carole Bailey Scholarship Committee, U.S. Court of Federal Claims Bar Association (2016-present)
- Intensive trial advocacy instructor, Notre Dame Law School (2014-present)
- Intensive trial advocacy instructor, Delaware Law School (2015)
- Intensive trial advocacy instructor, Louisiana State University, Paul M. Hebert Law Center (2011-2015)
- Instructor and lecturer, National Advocacy Center (2010-2017)
- Mentor coordinator, DOJ Environmental Tort Litigation Section (2009-2016)
- Pro bono attorney, DC Bar Pro Bono Program (2007-2014)
- Volunteer, Pro Bono Project Silicon Valley (2004)