

Matthew W. Davis

Senior Counsel

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Practice Areas

Arbitration
Construction
Energy
Healthcare
Trial

Education

The University of Texas School of Law, J.D., 2011; Editor, *Texas Journal of Oil, Gas, & Energy Law*; Mr. & Mrs. John C. McClain Endowed Presidential Scholarship in Law and School of Law Scholarship

Rice University, B.A., 2010, Ecology and Evolutionary Biology

Admissions

State Bar of Texas

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

OVERVIEW

Matthew represents plaintiffs and defendants in commercial litigation and corporate disputes, primarily in the healthcare and energy industries. In addition to his trial work in state and federal courts, he helps clients navigate the litigation process by leveraging state-of-the-art electronic discovery and database management techniques.

Before joining Schiffer Hicks Johnson, Matthew held several research positions in the U.S. and internationally. His research background, aided by his undergraduate training in ecology and biology, enables him to quickly grasp essential details of his clients' complex technologies. Matthew also brings an international perspective to his practice, having grown up in both Singapore and Houston.

NOTABLE EXPERIENCE

- Served as lead counsel in arbitration dispute representing a subcontractor against a general contractor in a public school construction dispute. Obtained and successfully collected arbitration award for all damages sought.
- Defended private energy companies and former officer against former employee over stock units. Won mandamus appeal over jury waiver. Settled on morning of trial on favorable terms.
- Represented an upstream oil and gas producer in a contract dispute with a pipeline company.
- Defended a healthcare provider in a dispute with an insurance company over billing practices under the Texas regulatory framework.
- Representing an energy company in a Texas state court case involving net participating interests and accounting for oil and gas properties.
- Defending a healthcare company in a dispute with the estate of its deceased CEO in which the estate claims that the CEO was a partner and thus entitled to partnership and LLC member interests.
- Representing a major oil and gas company in a variety of contract disputes with retailers, including franchise agreement disputes and post-termination matters.
- Representing a company seeking to go private in disputes with investment advisors regarding their promises of post-IPO funding.
- Handled several matters for the nation's largest ambulatory surgery provider, from multimillion-dollar ownership disputes to real estate disputes. Most recently, we defended our client against claims brought by a hospital landlord seeking approximately \$5 million in

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damages related to licensure issues and client's termination of the lease. We prevailed on our motion for summary judgment, obtaining dismissal of all of the plaintiff's claims.

- Representing a medical staffing company in a breach of contract and fraud action and related shareholder oppression dispute with several minority shareholders. Obtained a temporary injunction precluding company's minority shareholders and former employee from competing against our client and otherwise using the client's confidential and proprietary information.
- Represented a publicly traded healthcare company in a fraud and breach of fiduciary duty case against a financial advisory firm. Successfully settled the case, with our clients receiving several million shares of stock that defendants held in our client's company.
- Represented individual in a suit against a New York hedge fund for failure to pay a fee for sourcing a deal. After taking two defendant depositions, the case settled for confidential seven-figure amount.
- Represented energy-focused private equity firm in numerous cases.
- Handled \$11 million-dollar matter brought against client related to the purchase of one of client's portfolio companies and an alleged breach of an escrow agreement by client. Prevailed at the trial court level on a motion for summary judgment. Plaintiff appealed and we prevailed again in a published opinion.
- Handled lawsuit pending in Illinois state court arising out of declaration of force majeure at one of nation's largest coal mines, with \$80 million-plus in controversy.
- Represented Houston-based exploration and production company in a \$20 million breach of warranty and product liability case against several steel manufacturing companies. Our client's 18,000-foot horizontal well was rendered a complete loss when the defendant manufacturers' casing separated during hydraulic fracturing operations. This case involved complex issues concerning the steel manufacturing process and attendant metallurgy, drilling and completions operations, and even the application of the laws of India to certain claims. After taking and defending over 30 depositions in roughly 45 days and defeating the defendants' numerous dispositive motions, we settled favorably with all but one defendant.
- Represented the claimant, an energy services company, in a domestic arbitration involving breach of warranty and indemnity action against a technology company in claims related to a defective computerized fleet management system implemented by the client. After a fast track arbitration in which all depositions, expert reports, pre-hearing briefings, and the evidentiary hearing took place in 30 days, we obtained a favorable award for our client on all claims.

RECOGNITIONS

- Texas Rising Star, Thomson Reuters' *Super Lawyers*® (2018, 2020, 2021, 2022)

AFFILIATIONS

- Houston Bar Association