

Overview

Since 2007, Dentons' Dallas office has been at the forefront of a wide range of industry sectors and practice areas, driven by the talent and expertise of a team of committed professionals who understand what it takes to help you address your toughest business challenges.

Our team of more than 90 lawyers, professionals and staff are dedicated to delivering the service and strategic insight you need to seize opportunities and protect your interests. From intellectual property and technology issues to patent prosecution and litigation, life sciences, corporate and business transactions and beyond, Dentons' Dallas office has the experience necessary to help you compete and succeed.

This office also proudly serves clients from a 51,000-square foot location that has achieved certification in Leadership in Environmental Energy and Design (LEED), representing our ongoing commitment to providing leading-edge skills and services to businesses across Texas and around the world.

Representative Experience

- **Global auto parts supplier:** Advising a global auto parts supplier with operations in more than 75 countries on a transfer pricing examination. Currently representing the same global auto parts supplier in connection with an IRS examination of tax issues related to the takeover of a publicly-traded company and the subsequent refinancing and restructuring activities. The current examination is multi-jurisdictional in scope and has involved the IRS's attempts to use a treaty request—in violation of OECD treaty principles, among other international conventions—to circumvent US law protecting privileged tax advice. This has resulted in a multi-jurisdictional dispute over privileged tax information.
- **High net-worth taxpayer:** Successfully representing founder and CEO of publicly traded company in US Tax Court against IRS assertion of penalties relating to US\$400 million of losses arising out of a "listed" tax shelter. Out of dozens of cases filed in US Tax Court related to listed tax shelters, this is the only taxpayer victory in which the Tax Court found that the taxpayer was not liable for penalties because he acted reasonably and in good faith when deducting the losses. The IRS recently chose not to appeal the taxpayer's penalty victory.
- **International pharmaceutical company:** Successfully obtaining a jury trial verdict in Pennsylvania in Average Wholesale Price Medicaid fraud case brought by Pennsylvania Attorney General.
- **KT Rock:** Winning a \$2.5 million jury fraud verdict for Plaintiff client in State Court in Houston, Texas.
- **K-V Pharmaceutical Company:** Acting as national coordinating and lead trial counsel for a series of individual, multi-plaintiff, and class action product liability cases related to product recalls occurring in 2008 and 2009. Defending these cases at the trial and appellate level in the federal and state courts in at least 24 states, leanly staffing the matters with a core team from its Dallas office, and drawing also upon the expertise of lawyers in its own offices in Chicago, New York, New Jersey, Los Angeles, San Francisco, Washington, DC, St. Louis, Kansas City, and Phoenix, our team was able to use its broad experience in the pharmaceutical industry, product liability, class action defense, health care, and consumer protection to strategize across disciplines and jurisdictions and provide the client a coordinated defense and comprehensive service. The cases have been largely resolved to the company's satisfaction via dismissal or following early case assessment and resolution. Most recently, there were two major victories involving class actions. In *Lefavre/Polk v. KV Pharmaceutical Co.*, our team obtained a second dismissal of the case in which the alleged class of plaintiffs claimed economic injury based upon their purchase of a drug that was later recalled by the company. This case had previously been dismissed, the dismissal was reversed

by the Eighth Circuit, and upon remand our team again obtained a dismissal. In *Herndon v. KV Pharmaceutical Co.*, our team defeated class certification in a case in which the alleged class of plaintiffs claimed economic injury based upon their purchase of a number of drugs that were later recalled by the company. Class certification was denied after discovery, briefing and argument in March of 2012.

- **Monsanto Company:** Serving as outside patent counsel to the global agricultural biotechnology company, processing a substantial portion of their patents and managing patent portfolios worldwide.
- **Monsanto Company:** Winning a significant class action litigation for Monsanto in 13 different corn- and soy-growing states. The original master class action complaint alleged wide-ranging price fixing conspiracy between Monsanto and other defendants relating to genetically modified soybean seed products and a range of patent and antitrust violation.
- **Mutual insurance company:** Achieving a favorable decision that affirmed the dismissal of a US\$100 million purported class action lawsuit, challenging changes by our client to its retiree medical plan that reduced its costs under the plan.
- **T-Mobile USA:** Acting as lead counsel in several patent infringement lawsuit suits multiple venues. Each of these cases either resulted in T-Mobile obtaining a dismissal with prejudice with no payment of money to Plaintiff ("Plaintiff took nothing"), or resulted in a favorable settlement for T-Mobile.
- **US taxpayer:** Obtaining a major trial victory on behalf an individual taxpayer. In 2010, we were able to substantially reduce our client's tax, interest and penalty exposure by approximately \$130 million -- 82% of the total amount at issue. According to the US Department of Justice Tax Division, this was the US government's only loss in 12 high profile cases litigated that year.

Your Key Contacts

United States



Donald A. Hammett, JR.

PC

Partner, Dallas

D +1 214 259 0917

M +1 214 415 7201

donald.hammett@dentons.com