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& Brooks; Houston, TX, for West Harris County Municipal Utility District #11

Facts: In 2009, plaintiff Rodney Tow became trustee of the bankruptcy estate of Royce Homes, a Houston real estate development partnership owned by John Speer, ex-husband of Donnie Lou Speer, who in 2006 had bought out the former 50 percent owner of the company, Michael Manners, using funds loaned by Amegy Bank. Speer was also a corporate officer in the Hammersmith Group, Watermark Land and Vestalia LLC. George Kopecky was an officer in Royce Homes at the time of the bankruptcy. Tow sued the Speers, Manners, six corporations owned by Manners, Amegy, the Hammersmith Group, Watermark, Vestalia, Kopecky and a number of other corporations and individuals, claiming fraud and breach of fiduciary duty. The breach of fiduciary duty claim against Manners was dismissed prior to trial. Plaintiff's counsel argued that while the Amegy loan was taken out as a personal loan to Speer, he, Manners and Amegy came to an understanding that the loan would be secured with Royce Homes' assets. Plaintiff's counsel maintained that Speer and Manners fraudulently transferred those assets to the Hammersmith Group, Watermark Land, Vestalia and other corporations they controlled before transferring those assets to Amegy. Plaintiff's counsel also maintained that Speer, Manners and Kopecky subsequently fraudulently transferred corporate funds to themselves and family members, including funds transferred to Donnie Lou Speer as part of her divorce settlement. The plaintiff's accounting expert testified that these actions left Royce Homes with an unreasonably small amount of capital and led to the bankruptcy. Defense counsel maintained that Royce Homes had received reasonably equivalent value in all the claimed transactions. The defense accounting expert testified that the transfers did not leave Royce Homes with an unreasonably small amount of capital and the bankruptcy was caused by the collapse of the housing market

and not the actions of the defendants. Prior to trial Tow settled with Amegy for \$9.3 million, Donnie Lou Speer for \$250,000, Manners for \$600,000 and Kopecky for \$100,000. The case was first tried in March 2014. Out of 111 alleged fraudulent transfers, the jury found 10 transfers, totaling \$474,095.75, had been fraudulent, that 34 had not been fraudulent, and reached no verdict on the remaining 67. A new trial was ordered on those transfers.

Injury: Plaintiff's counsel maintained the defendants had secured Speer's loan with \$33,000,000 in Royce Home's assets, and that Speer, Manners and Kopecky had fraudulently transferred \$39,000,000 from the company's accounts to themselves and family members, including Donnie Lou Speer. Plaintiff's counsel maintained these acts left the company unable to pay \$41,000,000 in debts and was seeking this amount in damages.

Result: The jury found Speer had made 67 fraudulent transfers of corporate funds to Amegy Bank, Donnie Lou Speers and himself and left Royce Homes with an unreasonably small amount of capital. It awarded \$19,527,811.54 in damages. Together with the first jury award the total jury award was \$20,001,907.29.

**CASE #17
Intellectual Property
Defendants allegedly conspired to convey plaintiff's plant**

Amount: \$19,203,924

Venue: Limestone County

Judge: Robert Trapp

Case Name: Texas EMC Management LLC, Texas EMC Products Ltd. and EMC Cement BV v. Clinton W. ("Buddy") Pike Sr., Daniel L. Walker, W. Tobin Wilson, VHSC Cement LLC and Few Ready Mix Concrete Co. v. Atle Lygren and Vladimir Ronin, No. 30,023-A

Date: May 5, 2014

Plaintiff Attorney(s): John M. Phalen Jr.; Daniel Sheehan & Associates LLP; Dallas, TX, for Atle Lygren, EMC Cement BV, Vladimir Ronin, Texas EMC Products Ltd., Texas EMC Management LLC • Daniel J. Sheehan Jr.; Daniel Sheehan & Associates LLP; Dallas, TX, for Atle Lygren, EMC Cement BV, Vladimir Ronin, Texas EMC Products Ltd., Texas EMC Management LLC • M. Patrick McShan; Daniel Sheehan & Associates LLP; Dallas, TX, for Atle Lygren, EMC Cement BV, Vladimir Ronin, Texas EMC Products Ltd., Texas EMC Management LLC

Plaintiff Expert(s): Harry Swanstrom; Construction; Houston, TX called by John M. Phalen Jr., Daniel J. Sheehan Jr., M. Patrick McShan • Paula Miller; Economics; Houston, TX called by John M. Phalen Jr., Daniel J. Sheehan Jr., M. Patrick McShan

Defense Attorney(s): Benjamin Westcott; Andrews Meyers; Houston, TX, for VHSC Cement LLC, W. Tobin Wilson, Daniel L. Walker, Clinton W. Pike Sr., Few Ready Mix Concrete Co. • Lisa Norman; Andrews Meyers; Houston, TX, for VHSC Cement LLC, W. Tobin Wilson, Daniel L. Walker, Clinton W. Pike Sr., Few Ready Mix Concrete Co.

Defendant Expert(s): Todd Burchett; Economics; San Antonio, TX called by Benjamin Westcott, Lisa Norman

Facts: In 2005, plaintiff EMC Cement BV, a Dutch company owned by Atle Lygren and Vladimir Ronin, entered into a partnership agreement with Daniel Walker and W. Tobin Wilson to create Texas EMC Products. Texas EMC Management was formed by Lygren, Ronin and Walker to be the general partner in Texas EMC Products. Walker was one of the owners of Few Ready Mix

Concrete. EMC Products constructed a cement replacement product plant in Jewett and hired Clinton Pike Sr. as general manager. On May 3, 2011, the plant underwent foreclosure and was sold to VHSC Cement. Pike was subsequently employed by VHSC as general manager. EMC sued VHSC and Pike, claiming misappropriation of trade secrets; Walker, Wilson and Few Ready Mix, claiming breach of contract and breach of fiduciary duty; VHSC, claiming tortious interference with a contract; and Pike, claiming breach of contract. EMC filed a conspiracy claim against all the defendants. Plaintiffs' counsel maintained that the defendants conspired to convey both the Jewett plant and information on EMC's proprietary manufacturing methods and technology to VHSC. Plaintiffs' counsel maintained that while EMC was negotiating with a group of California investors to license their manufacturing methods, the investors approached Walker and Wilson to obtain the information through them. Plaintiffs' counsel argued that the investors formed VHSC while Walker and Wilson deliberately defaulted on the mortgage on the Jewett plant to force a foreclosure sale. Plaintiffs' counsel produced an internal memo from the mortgage-issuing bank stating that this was Walker and Wilson's intent. Plaintiffs' counsel maintained that VHSC then induced Pike to breach his employment contract by using his knowledge of EMC's methods to manufacture concrete replacement products for VHSC. Defense counsel argued that Walker and Wilson had no duty to pay the mortgage on the plant. Defense counsel argued that the EMC method did not perform as claimed, resulting in poor sales and a failure of the plant to turn a profit. Defense counsel maintained as a result after VHSC's purchased the plant it removed the machinery used in EMC's method and began using a new method independently developed by Pike and outside engineers. VHSC filed a third-party claim against Lygren and Ronin, claiming tortious interference

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LOVELESS LAW FIRM LLP



ANDREA S. LOVELESS is an experienced federal and state civil litigator in Texas and California, whose passionate representation of her clients, exceptional trial presence and technique, and expertise in her fields have led to her clients obtaining large and optimal settlements and verdicts. Graduating top in her class, on Law Review for Texas Wesleyan University School of Law, now Texas A&M University School of Law, as the 2000 Presidential Scholar, and graduating summa cum laude from East Carolina University as the 1998 Chancellor's Scholar, Mrs. Loveless thrives on pushing herself to meet and surpass academic challenges. While attending school, Mrs. Loveless constantly strived to experience various aspects of business and life, including studying international law in France, while also maintaining an acting and modeling career.

With an extensive background in Employment, Civil Rights, and Business Law, combined with various contacts in the entertainment industry and international business and law,

Mrs. Loveless was able to start and solidify her own successful law firm at a young age, and currently represents a wide range of clientele, including such prominent business entities as National Lampoon, Inc.



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Contracts

Rank	Total	Case Name	Date	Court	Headline	Attorneys	Experts
5	\$18,800,000.00	Shale Exploration LLC v. Eagle Oil & Gas Co. and Eagle Wes-Tex LP	9/11/14	Harris County	Defense used proprietary info to get oil & gas leases	Matthew R. Pearson (lead), San Antonio, TX of Gravelly & Pearson L.L.P.; Valerie L. Cantu, San Antonio, TX of Gravelly & Pearson L.L.P.	
6	\$2,612,150.00	Andrew Anderson v. Jerry V. Durant, Jerry Durant Inc. d.b.a. Durant Toyota and d.b.a. Jerry Durant Toyota, Jerry Durant Hyundai LLC, Jerry Durant Auto Group Inc., Robert G. Cote Sr., William R. Shapiro, Don Allen, Doyle Maynard, Elliot Michelson, Jerry Rash, Brandi Shapiro, Gary Michael Deere, Carol Walsh, Amanda Hedrick, Jestin McLaughlin, Chuck Terrill, Silverado Life Reinsurance Co. and Jerrel Bolton	3/4/14	Tarrant County	Car dealer made defamatory accusations, plaintiff alleged	Hugh G. Connor, II, Fort Worth, TX of Kelly Hart & Hallman, LLP	David N. Fuller, Value Inc., Economics, Irving, TX; Clayton Woods, Polygraph, Arlington, TX
7	\$846,863.32	Reyes Lopez v. T&C Construction Ltd., D. Wilson Construction Co. and Mike Torres	4/7/14	Hidalgo County	Contractor claimed he was owed for work	Christopher R. Brasure, Edinburg, TX	
8	\$823,897.00	Chopper Group LLC and Outlaw Country LLC v. Marinecorp International Ltd. v. Tony Miller	4/23/14	Harris County	Landlord didn't provide electricity, plaintiffs alleged	Brock C. Akers, Houston, TX of Phillips Akers Womac	
9	\$809,400.00	Steven Ives and Lloyd DeLano v. Alta Mesa Holdings L.P., Alta Mesa Acquisition Subsidiary LLC, The Meridian Resources and Exploration LLC Change in Control Severance Plan, and The Meridian Resources and Exploration LLC	3/14/14	Harris County	Executives said resignations were for good reason	Mark Levine (lead), Houston, TX of Weycer, Kaplan, Pulaski & Zuber; Tanya N. Garrison, Houston, TX of Weycer, Kaplan, Pulaski & Zuber	
10	\$760,908.16	Petroleum Wholesale L.P. v. Alper Karaali and Tien Shan Inc.	3/24/14	Harris County	Defendants failed to make full payment on note	Eric D. Madden, Dallas, TX of Reid Collins & Tsai LLP	David R. Dominy, M.A.I., Appraisal, Houston, TX
11	\$745,000.00	Filter Resources Inc. v. George E. Rhymes and Rhymes Industrial Filtration and Consulting LLC	4/21/14	Jefferson County	Firm claimed former employee breached agreement	David E. Cowen (lead), Galveston, TX of McLeod, Alexander, Powel & Apffel; Chris C. King, Galveston, TX of McLeod, Alexander, Powel & Apffel; Amanda Wright, Galveston, TX of McLeod, Alexander, Powel & Apffel	Robert A. Black, J.D., MehaffyWeber Attorneys, Attorney Fees, Beaumont, TX; Jeff Compton, CPA, Compton & Wendler P.C., Economics, Houston, TX
12	\$419,128.35	Kent A. Schaffer v. RWH Homebuilders LP, RWH Builders LLC, Rohe & Wright Homebuilders LP and Rowe & Wright Builders LLC	4/2/14	Harris County	Construction and repair defects caused water damage	Leonard J. Meyer, Houston, TX of Zimmerman, Axelrad, Meyer, Stern & Wise, P.C.; William E. Morfey, Houston, TX of Zimmerman, Axelrad, Meyer, Stern & Wise, P.C.	Gary Boyd, Boyd Engineering, Structural, Magnolia, TX; Lynn DeGeorge, DeGeorge and Associates, Building/House Repairs, Houston, TX
13	\$311,906.00	National Oilwell Varco L.P. v. Applied Machinery Corp.	5/14/14	Harris County	Defendant failed to make full payment, plaintiff alleged	Chris A. Stacy, Houston, TX of Chris Stacy & Associates	

Employment

Rank	Total	Case Name	Date	Court	Headline	Attorneys	Experts
1	\$11,653,064.24	Michael Mercieca v. Tracy Rummel and Microsoft Corporation	5/7/14	Travis County	Plaintiff claimed he was ostracized and scrutinized	Paul T. Morin (lead), Austin, TX of Law Offices of Paul T. Morin; Roy Pollack, Austin, TX	Brad Coffey, Vocational Rehabilitation, San Antonio, TX; Joel Fleschman, Psychology/Counseling, Austin, TX; Thomas Glass, Ph.D., Economics, Austin, TX
2	\$2,146,352.09	Joseph Palazzolo v. Fort Worth Independent School District	3/26/14	Wise County	Assistant principal was fired for reporting misconduct	Victoria Neave (lead), Dallas, TX of Neave & Scott, PC; Mark Scott, Dallas, TX of Neave & Scott, PC	Allyn Needham, Ph.D., CEA, Economics, Fort Worth, TX
3	\$795,321.00	Chris Stevenson and Marion Dahn v. LaSalle Corrections Transport LLC, LaSalle Management Company LLC, and Southwestern Correctional LLC	11/6/14	Federal	Correctional officers were fired and claimed retaliation	Andrea S. Loveless, Fort Worth, TX of Loveless Law Firm LLP	
4	\$427,000.00	Gerald Watson v. Sanderson Farms Inc., Michael Moncrief, and Todd Ormon	11/18/14	McLennan County	Sanitation supervisor at chicken plant claimed harassment	Michael L. Scanes, Waco, TX of Scanes & Routh, LLP	
5	\$345,000.00	Yolanda Campos v. El Paso County Sheriff's Dept.; El Paso County, Texas; Richard D. Wiles, individually and in his official capacity; William J. Ellis, individually and in his official capacity; and Eugene Nunez	9/11/14	Federal	Employer got involved in plaintiff's custody dispute	Robert L. Blumenfeld, El Paso, TX of Mendel Blumenfeld PLLC	