

Fisher Broyles

Name: Lisa Powell

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Practice Areas: Bankruptcy & Restructuring; Commercial Litigation; Financial Services & Lending; Litigation — Civil Pretrial and Trial; Litigation & Risk Mgmt; Intellectual Property Litigation

Bar Admissions: Texas

Education: Indiana University Mauer School of Law, *JD cum laude*, 1984; Indiana University, *A.B.*, 1981; Visiting student, Harlaxton College, Harlaxton England, Dean's List

Experience: Jackson Walker

Lisa Powell is an experienced trial lawyer who represents clients in disputes in all types of settings: state and federal courts; bankruptcy courts; and arbitral tribunals, both domestic and international. She also helps clients mitigate and avoid risk before formal disputes arise.

Lisa analyzes the unique circumstances of every dispute to devise a strategy which meets the business objectives of the client, whether through trial on the merits, early resolution of the matter or some other creative solution. Her broad-based experience in virtually all types of litigation allows her to bring a unique perspective to the matters she handles and gives her a wide range of tools to use. Lisa is committed to the cost-efficient delivery of high quality legal services through innovative and creative solutions.

BUSINESS ACCOMPLISHMENTS

- Executive Leadership -- Developed and supervised teams of legal professionals defending more than 250 lawsuits involving in excess of 1000 separate independent claims of property damage leading to successful resolution for clients
- Team Development -- Coordinated three trial teams of professionals defending 200 claims of personal injury across the state of Texas leading to favorable settlement for client

- Project Management -- Managed liquidation of over \$35 million of clients' real and personal property utilizing creative methods for maximizing asset values
- Risk Management -- Created procedures to manage over 10,000 toxic tort cases and track data resulting in voluntary dismissal of over 12,000 individual claims
- Revenue Collection -- Secured and collected multi-millions of dollars for clients through judgments and negotiations

PROFESSIONAL EXPERIENCE

- Litigation -- successful first chair trial experience in federal and state court
- Bankruptcy -- represented clients in all aspects of bankruptcy proceedings
- Creditors' Rights -- reviewed and analyzed more than \$2 billion of credit facility documentation and extensive experience with forbearance agreements and utilization of diverse procedures for debt collection
- Contract Law -- Negotiated contracts and litigated disputes under Texas and Delaware law
- Corporate Law -- Successful defense of officers and directors under Texas and Delaware law
- Real Estate -- Experience in a wide variety of real estate transactions and litigation
- Energy -- Significant experience with joint operating agreements

ARBITRATION

- Certificate in 2007 in Advanced Arbitration Skills (Domestic and International), A. A. White Dispute Resolution Center at the University of Houston Law Center
- Member of the American Arbitration Association panel of neutrals for commercial disputes
- Fellow, Chartered Institute of Arbitrators
- Member, Institute for Transnational Arbitration Advisory Board
- Member, Houston International Arbitration Club

REPRESENTATIVE MATTERS

- Westlake Styrene v. United States of America, et al. Obtained judgment in favor of client in interpleader action involving a lien dispute involving the I.R.S. and two lien creditors under Texas and Louisiana law.

- In re Sonrisa Properties, Inc. Obtained confirmation of creditor's plan of reorganization.
- In re R&R Marine, Inc., et al. Successfully represented secured creditor with a \$20+ million claim in a disputed chapter 7 trustee's election, stay litigation, avoidance action involving millions of dollars of insurance claims, and a dispute involving a letter of credit.
- In re Quality Infusion Successfully opposed the Debtor's motion to dismiss the chapter 11 proceeding which in turn lead to the appointment of a chapter 11 trustee and the conversion of the case to chapter 7 proceeding.
- In re Wade Offshore Successfully represented secured creditor with a lien on debtor's working interests in gas wells on the outer continental shelf in case in which the chapter 7 trustee alleged that the operating agreement had been rejected.
- In re Cedar Hill Petroleum Obtained confirmation of a Chapter 11 plan involving operator which had sustained a blowout of an oil and gas well and had numerous lien claims.
- Johnson v. The Bank of Beverly Hills Obtained dismissal of an avoidance action brought by chapter 7 trustee against client in which the Bankruptcy Court found that action barred by res judicata from previous settlement.
- Resilin S.A. v. National Expert Crating Company of Texas, Inc. Obtained defense verdict for client in case involving a claim of damage to equipment shipped to Venezuela. Griffin & Laser v. B.K. Witt, Inc. Obtained plaintiff's jury verdict for client in breach of contract action.
- Hillcroft Medical Assn. v. Cousins Obtained grant of conditional writ of mandamus for client.
- Bilton v. United Cab Co. Inc., 987 S.W.2d 594 (Tex. App.—Houston [1st Dist] 1997, no writ). Obtained summary judgment for client in wrongful death action affirmed on appeal.
- Lennar Homes of Texas v. Sto Corp., et al. Obtained favorable settlement for client in a lawsuit with more than 40 parties involving claims based on products liability, negligence, fraud, D.T.P.A., breach of warranty and fraud claims with over \$11 million in damages claimed to more than 1,000 homes.
- Belcheff v. Sto Corp. Obtained order granting a Daubert/Robinson motion striking plaintiff's expert in a products liability, negligence, breach of warranty, D.T.P.A., and fraud case in Tarrant County, Texas with case settling thereafter.
- Faith United Methodist Church v. McCombs Construction Company, Inc. Obtained favorable settlement for client in construction defect case in Travis County involving over 14 parties and allegations of mold contamination.
- In re SwanTransportation. Served as special counsel in Delaware chapter 11 proceeding after acting as coordinating counsel for 200 lawsuits filed across the state of Texas against a foundry based upon alleged silica and asbestos exposure.

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- Confidential. Represented a party in an international arbitration involving energy dispute

PUBLICATIONS

- Products Liability and the First Amendment: The Liability of Publishers for Failure to Warn, 59 Indiana Law Journal 503, republished in 9 Journal of Products Liability 159 and cited in 19 publications

COMMUNITY

- Indiana University Mauer School of Law Alumni Board, Member, 2009-Present, Vice President, 2017
- Turnaround Management Association, Houston Chapter Board Member, 2014-Present
- Co-Chair of the Houston Network of Women, 2014-Present
- Houston Bar Foundation, Continuing Life Fellow
- Moller-Foltz American Inn of Court
- Texas Bar Foundation, Sustaining Life Fellow
- Texas General Counsel Forum, Board Member, 2007-2017