

**Barry Abrams | Partner**

Business Litigation

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Barry Abrams has devoted more than 40 years to solving complex disputes for his clients in a creative, direct, and economical way.

His extensive trial, arbitration, and appellate experience includes:

- Capital project disputes in multiple industries
- Investment litigation arising out of securities and asset purchase and sale agreements
- Litigation involving financial institutions, investors and corporate officials
- Litigation on behalf of local governments and public officials
- Representation of law firms and lawyers

Barry is a Fellow in the American College of Trial Lawyers and a member of the American Board of Trial Advocates. He served as a law clerk to the Honorable Joseph T. Sneed, United States Court of Appeals for the Ninth Circuit, previously taught as an adjunct professor at the University of Houston Law Center, and serves on the faculty of the Texas Trial Academy and Texas Pretrial Academy, a joint project of the Texas Access to Justice Commission and the American College of Trial Lawyers.

*Chambers USA* states that Barry is described as “a superb trial lawyer.”

Barry serves as chair of Blank Rome's Pro Bono Committee.

## Select Engagements

- An international financial institution, co-counsel for defendant in

multibillion dollar securities class action litigation resolved by take nothing summary judgment in client's favor.

- A gas processing venture, commercial arbitration over manuscript project completion insurance policies, with resulting award and payments to client totaling \$103,140,093. Trial and appeal of related litigation over breaches of underlying industrial construction project agreements.
- A project finance lender, enforced lender's rights under a construction loan agreement, resulting in a \$28.5 million judgment and a \$25 million recovery through settlement.
- An exclusive sales representative of hydraulic fracturing material, trial of suit to enforce rights under commissioned sales agreement, resulting in \$7 million pretrial settlement in one action and \$8 million verdict in trial of second action.
- Commercial real estate developers, trial of suit against commercial builder for breach of multiple-lot subdivision sales agreement, resulting in verdict and \$3.5 million judgment.
- Commercial real estate developers, trial of suit against financial institutions for deceptive trade practice, usury and fraud, resulting in \$1 million settlement with one party, jury verdict and judgment of \$2.5 million against other parties, and dismissal of claims asserted against developer clients.
- A manufacturer of commercial adhesives, trial of industrial purchaser's suit seeking multi-million dollar recovery for alleged deceptive trade practices, breach of warranty, fraud, and negligence, resulting in defense verdict and judgment.
- A manufacturer of commemorative foreign gold coins, trial of multimillion dollar suit alleging deceptive trade practices, breach of warranty, fraud and misrepresentation claims, resulting in defense verdict and judgment.
- A manufacturer of Industrial equipment, trial of unfair competition/breach of fiduciary duty/trade secrets case, resulting in injunction against former officers.
- An architectural firm, trial of suit against former officers and employees of architectural firm in fiduciary breach/tortious interference suit resulting in jury verdict and judgment for client.
- A government water authority, trial and appeal of suit defending condemnation of golf course property for public use as flood water detention facility.
- Venture capital investors, enforced warrant purchase agreement for ownership in an independent company, resulting in confidential settlement involving redemption of clients' interests.
- A venture capital lender/investor, suit against corporate debtor and controlling person, to enforce investment loan agreement, and defense of debtor claims of fraudulent inducement, failure of consideration, tortious interference, conversion, breach of fiduciary duty claims.
- A venture capital lender/investor, shareholder oppression and breach of fiduciary duty suit against corporation and controlling shareholders, who purported to oust lender/investor from participation in corporate affairs.
- A foreign publicly-traded entity, suit to enforce stock purchase agreement and secure repayment of invested capital after repudiation of client's

investment rights.

- A securities underwriter, negotiated confidential settlement for client in multimillion dollar securities fraud claim brought by venture capital investors arising out of private placement of preferred stock.
- A computer software company, defense of arbitration asserting breaches of software licensing and marketing agreement, resulting in defense award.
- A former chief executive officer of a national bank, fraud action asserting minority shareholder oppression claims and to enforce incentive stock option rights, resulting in \$2 million settlement for client during trial.
- A securities industry executive, enforcement of executive employment contract through arbitration.
- A private real estate investor, suit to enforce co-tenancy agreement concerning ownership of apartment project. Disputed issues concerned refusal of co-tenant to sell property, denial of access to corporate books and records, misuse of project funds, and similar conflicts.
- A cable television company, suits to enforce payment obligations of multiple Texas homeowner associations.
- A commercial farm enterprise, suit to collect obligations arising from sale of agricultural commodities, to enforce agricultural act trust fund obligations, and to void various fraudulent transfers by debtor and insiders.
- A municipal government entity, arbitration of underground sewer project dispute, resulting in award for client and dismissal of claims against client.
- Law firms and lawyers, defense of multiple law firms and lawyers in suits asserting fraud, negligence, breach of fiduciary duty, conspiracy and securities law claims.
- Texas local governmental bodies and public officials, defense at trial and on appeal of civil rights, contract, tort, wrongful death, employment, development, annexation, condemnation, and Open Meetings Act disputes.

## **Admissions**

- Supreme Court of the United States
- United States Court of Appeals for the Ninth Circuit
- U.S. District Court - Northern District of Texas
- Texas
- U.S. District Court - Eastern District of Texas
- U.S. District Court - Northern District of California
- U.S. District Court - Southern District of Texas
- U.S. District Court - Western District of Texas
- United States Court of Appeals for the Fifth Circuit

## **Memberships**

- American Bar Association
- American Board of Trial Advocates
- American College of Trial Lawyers
- Houston Bar Foundation

- International Municipal Lawyers Association
- State Bar of Texas
- Texas Bar Foundation
- Texas City Attorneys Association

## Education

- Princeton University Woodrow Wilson School of Public & International Affairs, AB, cum laude
- University of Texas School of Law, JD, high honors

## Recognitions

- 2012–2024, Litigation - Land Use and Zoning, Litigation - Municipal, and Litigation - Securities, listed in *Best Lawyers in America*® (Woodward/White, Inc.)
- 2022–2024, “Top 500 Leading Litigators in America,” listed in *Lawdragon*
- 2015–2023, Litigation: General Commercial Law, listed in *Chambers USA*
- 2003–2012 and 2014–2023, Texas “Super Lawyer” in Business Litigation, listed in *Super Lawyers* (Thomson Reuters)
- 2013, 2019 “Lawyer of the Year” in Litigation – Municipal, Houston, listed in *Best Lawyers in America*® (Woodward/White, Inc.)
- 2015–2017, Litigation: Appellate, listed in *Chambers USA*
- 2016, “Top Rated Lawyer” in Texas, listed in *Texas Lawyer Magazine*

## Professional Activities

Barry is a former chairman and board member of the Spring Branch Education Foundation. He serves as President of the Spring Branch Family Development Center and is the former President and a current board member for the Altharetta Yeargin Art Museum. Barry is a former chairman and a member of the American College of Trial Lawyers Access to Justice Committee.

In 2012, Barry received the firm’s Edwin P. Rome Pro Bono Award, which was created to recognize dedication to pro bono service and to honor those who are committed to seeking equal access to justice for all. He has also been honored with the first Lifetime Achievement Award from the Spring Branch Education Foundation.