

**V**ERDICTSEARCH

VERDICT SEARCH'S

# TOP TX VERDICTS

*of 2009*



# McKool Smith TOP VERDICTS

## 2009

**\$200 million**

*i4i v. Microsoft*

**\$138 million**

*Versata v. SAP AG*

**\$20 million**

*City of San Antonio v. Hotels.com, et al.*

**\$19 million**

*OPTi Inc. v. Apple Inc.*

## 2008

**\$250 million**

*Medtronic Vascular Inc. v. Boston Scientific Scimed Inc.*

**\$59 million**

*Pioneer Corp. v. Samsung SDI Co. Ltd.*

**\$28.1 million**

*Adderley v. National Football League Players Association*

**\$21 million**

*Anascape Ltd. v. Microsoft Corp.*



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## TEXAS PROUD

*Mike McKool and McKool Smith are on a winning streak.*

Texas is home to some of the top attorneys in the country. From Texarkana to Fort Bliss, you'll see excellent, hard-working lawyers providing clients with the best representation found anywhere in the nation.

That's why we are especially proud at McKool Smith to be recognized by VerdictSearch for winning four of Texas' top verdicts in 2009. Based on the work of our experienced trial lawyers, we've been able to win more of the country's top verdicts than any law firm in the U.S. since 2008.

Our largest trial win of 2009 came in a patent lawsuit against Microsoft. Following the hard-fought case against an excellent defense team, the jury awarded our client \$200 million. As a testament to the good work of our trial team, the verdict was later entered as a judgment for more than \$290 million and already has survived one round of appeals. *The National Law Journal* ranked this win as the nation's 10th largest jury verdict for the year.

We also helped another technology company win a \$138 million patent infringement verdict against one of the world's biggest software providers, Germany's SAP AG. This case was won with technical expertise and hard work from our deep bench of trial lawyers. Like the win against Microsoft, our team tried this case in the U.S. District Court for the Eastern District of Texas. During the past 20 years, McKool Smith has developed a

thriving practice in the Eastern District, one of the country's top jurisdictions for complex commercial cases and patent litigation.

We're also very proud of our win for the City of San Antonio and more than 170 other Texas cities in the first state court trial over unpaid hotel occupancy taxes. The \$20 million verdict in that case has impacted similar cases across the country, and earned extensive media coverage in the U.S. and overseas.

Finally, our team took on some of the top defense lawyers on the east coast when we went up against computer giant Apple Inc. in a patent infringement lawsuit. When the trial concluded, jurors found for our client and awarded \$19 million. In addition to confirming the validity of our client's patent, the jury also delivered a willful infringement finding against Apple.

While everyone at our firm is proud of these trial results, we aren't sitting still. Now with more than 125 lawyers, McKool Smith has opened new offices in New York and Houston during the past two years. We've also added thriving new practice areas in white collar litigation and bankruptcy, both of which complement our work in complex commercial litigation and intellectual property claims.

Our plans for 2010 are even bigger, with an eye toward expansion and a determination to make McKool Smith one of the top law firms at home here in Texas and throughout the U.S.

**DEEP BENCH +  
TRIAL/TECH EXPERTISE =  
COURTROOM WINS**

# TOP 25 TEXAS VERDICTS IN 2009

Rank	Case	Date	Court	Headlines	Attorneys	Experts	Total
2	i4i L.P. and Infrastructures for Information Inc. v. Microsoft Corp.	5/20/2009	Federal	Technology in MS Word violated patent, plaintiffs said	Doug Cawley, Austin Curry, Jennifer L. Henry, Jonathan Yim, Jeffrey A. Carter, Jill Lynch, Gretchen Kristen Harting, Rosemary Tyson Snider, Tom Fasone, Sarah S. Anderson, T. Gordon White, Alfredo Leopoldo Silva, Randy Carter, John Campbell, Kevin Burgess, Martin Robson, and Joel Thollander of McKool Smith, P.C.; and Robert M. Parker of Parker, Bunt & Ainsworth	Thomas Rhyne, David Martin, Michael J. Wagner, and William E. Wecker	\$200,000,000.00
5	Versata Software Inc., f/k/a Trilogy Software Inc.; Versata Development Group Inc., f/k/a Trilogy Development Group Inc.; and Versata Computer Industry Solutions Inc., f/k/a Trilogy Computer Industry Solutions Inc. v. SAP America Inc. and SAP AG	8/26/2009	Federal	Plaintiffs claimed infringement of enterprise software patents	Steve Pollinger, Scott L. Cole, Laurie L. Gallun, Sam F. Baxter, Martin Robson, Rosemary Tyson Snider, Joshua W. Budwin, Ted Stevenson, John Shumaker, and Kevin M. Kneupper of McKool Smith, P.C.	Scott Nettles of University of Texas and Christopher Bakewell of Duff & Phelps	\$138,641,000.00
15	City of San Antonio, Texas, on behalf of itself and all other similarly situated Texas municipalities v. Hotels.com, LP; Hotwire Inc.; Trip Network, Inc. d/b/a Cheaptickets.com; Expedia Inc.; Internetnetwork Publishing Corp. d/b/a. Lodging.com; Orbitz LLC; Priceline.com Inc.; Site59.com LLC; Travelocity.com LP; Travelweb LLC; nd Travelnow.com Inc.	10/30/2009	Federal	Internet travel sites violated state tax laws, cities alleged	Thomas Graves, Rosemary T. Snider, Gary Cruciani, Steven D. Wolens, and Michael P. Fritz of McKool Smith; Michael Bernard of Office of the City Attorney; Frank Herrera of The Herrera Law Firm; Laura J. Baughman; Trey Martinez Fischer; and Thomas M. Sims, William T. Reid of Diamond McCarthy, LLP	Jeffrey J. Leitzinger Ph.D.	\$20,579,486.00
17	OPTi, Inc. v. Apple, Inc.	4/23/2009	Federal	Corporation accused Apple of using its patented technology	Rosemary T. Snider, Jason Cassady, Gary Kitchen, and Carol Butner of McKool Smith; and J. Ethan McComb, Eric Mersmann, Taras Gracey, Michael L. Brody, Sarah Frey of Winston & Strawn LLP	Alan H. Smith Ph.D. and Roy Weinstein of Micronomics	\$19,009,728.00