



## BIOGRAPHY

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### **DEREK J. LISK** [ partner ]

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#### **Biography**

Derek is a trial lawyer and mediator who is experienced in business, product liability, toxic tort, and environmental litigation. He has led or served on litigation teams for Arthur J. Gallagher & Co., Tyco Fire & Security companies, DuPont, Pharmacia & Upjohn, Lockheed Martin, and other national and international companies.

An expert at litigation strategy, Derek reduces costs and increases efficiencies for business clients through meaningful early case assessments, electronic knowledge and case management processes, and well planned persuasion strategies. He serves as first chair on trials and appeals in state and federal courts. He is also a trained mediator who is equally skilled at negotiating alternative dispute resolutions, from mediated settlements to large, complex arbitrations.

He has achieved the Martindale-Hubbell AV rating, which indicates the height of professional excellence and the highest levels of skill and integrity as judged by his peer members of the bar and members of the judiciary. In addition, he has spoken and published on a variety of legal topics, including alternative dispute resolution, Internet law, professional ethics, bioterrorism, and environmental litigation.

Some of Derek's cases of note include:

- leading the trial team for SimplexGrinnell LP that successfully resolved 22 lawsuits arising from a fire in the Cook County Administration Building that took six lives and injured many others.
- working on the arbitration trial team for a major pharmaceutical company during the successful defense of a license agreement dispute in which the claimant sought \$1 billion in damages.
- working on the Texas team in the successful defense of lead paint product liability lawsuits.
- working on complex litigation arising from the breakup of a business that purchased petroleum products from the former Soviet Union for barter or sale in eastern Europe, including suits involving several foreign companies.
- leading the trial team for the defense of the city of Houston in a case in which the plaintiffs alleged that the city used defective fire fighting equipment that caused the deaths of two young children.
- working on the Texas non-compete litigation team for a national temporary labor provider.

Derek's professional associations/honors and community activities include:

- membership in the American Bar Association (ABA), in which he is a vice chair of the ABA Tort Trial & Insurance Practice Section's Law & Technology, International, and Alternative Dispute Resolution Committees;
- membership in the Texas Bar Association;
- membership in the Houston Bar Association (HBA) and the HBA Lawyers Against Waste and Alternative Dispute Resolution Committees;
- breakout session leader for Houston Bar Association Professionalism Day (2005, 2009, 2010);
- Houston Bar Foundation Fellow;
- serving on the board of directors for the Harris County Dispute Resolution Center;
- representative to the General Counsel Forum, where he serves on the board of the Austin-San Antonio Chapter;
- membership in the Defense Research Institute (DRI) and the DRI Toxic Tort and Environmental Law Committee;
- membership in the Council on Litigation Management (CLM) and the CLM Commercial Litigation and Alternative Fee Committees;
- membership in the National Fire Protection Association and Automatic Fire Alarm Association;
- usher at St. Michael Catholic Church.

### **Publications**

Derek J. Lisk, *Can You Keep a Secret? Arbitrations May Be Private, But Not Confidential*, In-House Defense Quarterly, Spring 2009, at 58.

Derek J. Lisk, co-author, *Recent Developments In Internet Law*, Tort Trial & Insurance Practice Law Journal, Winter 2005.

Derek J. Lisk and Matthew T. Jennings, *Recovering Remediation Costs After A Voluntary Cleanup: Relevant Issues for the Post-Aviatl World*, For The Defense, July 2005.

Derek J. Lisk, *When Does the Texas Attorney-Client Privilege Protect Communications with In-House Counsel?*, Texas Bar Journal, May 2005.

Derek J. Lisk, *Does Passive Migration Equal "Disposal" for Limitations Purposes?*, Texas Lawyer, September 2004.

Derek J. Lisk, *Invisible Intruders: Modern Views of Airborne Particle Trespass*, DRI Toxic Torts and Environmental Law Newsletter, Summer 2004.

Derek J. Lisk, *Passing the Hat for CERCLA Cleanup Costs: If You Clean Up, Will Others Chip In?*, The Metropolitan Corporate Counsel, April 2004.

Derek J. Lisk, *Challenging Arbitration Awards in Texas Courts*, 64 Texas Bar Journal 534 (2001).

Derek J. Lisk, *Actual and Apparent Authority in Texas: Beware of Salesmen and Bank Presidents*, Houston Lawyer, July-August 2000, at 30.

Derek J. Lisk, *Confidentiality of Arbitrations*, 63 Texas Bar Journal 234 (2000).

Derek J. Lisk, *Comment: Some Real Property Hazard Insurance Problems for Texas Mortgagors and Mortgagees*, 24 Houston Law Review 717 (1987).

### **Recent Speeches And Presentations**

"Expert Reports – Trying to Change the Game With A New Federal Rule," Forensic Expert Witness Association's Houston Chapter, on October 26, 2010.

"Information and Technology Risk: Legal Challenges for a Connected World" (Panel), General Counsel Forum 4th Quarterly Event, Houston, Texas, on September 22, 2010.

"Negotiation for Claims Professionals 2.0," co-presented for the Council on Litigation Management at Gallagher Bassett Services, Inc., Oakbrook Terrace, Illinois, on August 26, 2010.

"Law Practice Management - How to Form and Run High-Performance Teams" (Panel), The Center for American and International Law's 2010 Symposium: Globalization for In-house and Outside Counsel, Plano, Texas, on June 15, 2010.

"Managing Litigation - A Corporate Approach" (Roundtable), Case study presented at the Council on Litigation Management's Annual Conference, Ponte Vedra Beach, Florida, on March 25, 2010.

"Effective Mediation Practice for Lawyers," Internal CLE presented at Houston, Texas, on November 13, 2009.

"Billing Responsibilities and Timekeeping," Internal CLE presented at Houston, Texas, on October 2, 2009.

"What To Know Before Signing an Arbitration Agreement," Reed Seminars, 2009.

"Fundamentals of Litigation Management," co-presented for the Council on Litigation Management, Houston, Texas, on September 15, 2009.

"Bioterrorism: Contingency Planning and Legal Issues," presented at the NFPA Americas' Fire & Security Expo, Miami, Florida, on July 29, 2009.

"Walking the Tightrope: Tips for Remaining an Ethical In-House Counsel," presented at Chevron, Houston, Texas, on April 29, 2009.

"How the Practice of Law and Law Firm Management Are Changing," University of Houston Law Center Panel Discussion, April 1, 2009.

"Walking the Tightrope: Tips for Remaining an Ethical In-House Counsel," presented at BP, Houston, Texas, on October 22, 2008.

"Using Technology to Prepare a Case for Trial," American Bar Association Tort, Trial & Insurance Section Law & Technology Committee Webcast moderated on September 10, 2008.

"Walking the Tightrope: Tips for Remaining an Ethical In-House Attorney," presented at Reliant Energy, Houston, Texas, on August 27, 2008.

Ethics Refresher Internal CLE, presented at Houston, Texas, on August 6, 2008.

"How to Stay In-House... and Out of the Big House," presented at Temple-Inland, Inc., Austin, Texas, on June 18, 2008.

"How to Stay In-House... and Out of the Big House," presented at St. Jude Medical, Austin, Texas, on June 17, 2008.

"Lessons Learned – Liability Issues for Contractors," presented at the Automatic Fire Alarm Association Annual Meeting in San Antonio, Texas, on April 17, 2008.

"You Agreed on a Number to Settle the Case, Now What?" Internal CLE presented at Houston, Texas, on August 17, 2007.

"Billing Responsibilities," Internal New Lawyer Orientation Videoconference presented on September 14, 2005.

"Discovery – Don't Let Spoliation, Cost Shifting, Sanctions, or Privilege Waivers Spoil Your Case," presented at the Westin Crown Center, Kansas City, Missouri, on June 2, 2004.

**Licenses**

Derek is admitted to practice before the state courts of Texas and the U.S. District Courts for the Southern, Northern, Western and Eastern Districts of Texas.

**Education**

1988 J.D., *magna cum laude*, University of Houston Law Center

- Editor-in-Chief, *Houston Law Review*
- Order of the Barons
- Order of the Coif

1974 M.A., University of Houston (4.0 GPA)

1971 B.A., with highest honors, University of Connecticut

**PRACTICE AREAS**

Tort

Toxic Tort

Global Product Liability

Business Litigation

Arbitration & ADR