



→ Constantine "Dean" Z. Pamphilis

Partner

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Constantine "Dean" Pamphilis is a partner in the Business Trial Practice Group in the firm's Houston office.

Areas of Practice

Dean focuses on complex commercial and civil litigation, including defamation litigation, civil rights litigation, real estate litigation, insurance recovery, antitrust litigation, trademark litigation, anti-cybersquatting, securities litigation, premises and product liability, trade secret, covenant not to compete, and appeals. He has represented corporations and individuals in the financial services, oil and gas, chemical, consumer product, construction, commercial real estate, securities, e-business, insurance, magazine and pharmaceutical industries. Dean has tried cases involving construction disputes, insurance recovery, trade secrets, securities, broker-dealer firms, and breach of contract in federal court, state court and before the American Arbitration Association, National Association of Securities Dealers and New York Stock Exchange. He has also successfully obtained numerous injunctions in the securities and oil and gas industry.

Dean's practice also includes corporate law, mergers and acquisitions, licensing and general corporate contracts such as employment agreements, shareholder agreements, operating agreements and distribution agreements.

Experience

- A leading global tax services and software provider, in a defamation suit against its former client, alleging that it committed fraud and unlawfully pocketed fees and concealed and distorted facts that court decisions confirm that publications were false. Defeated anti-SLAPP motion to dismiss at trial court, Beaumont Court of Appeals and Texas Supreme Court.
- An executive of a major pipeline company in a defamation suit against a political candidate alleging that he was maliciously defamed by false assertions that the executive committed crimes in making a legal donation to the political candidate's opponent's campaign.
- An election logistics firm in a defamation and computer hacking lawsuit alleging that election conspiracy theorists who defamed the firm in wrongfully claiming that it worked with the Chinese Communist Party to breach U.S. elections, and was guilty of treason relating to the 2020 election. Obtained injunction against the conspiracy theorists and a finding of contempt of court for which they were imprisoned.
- An A.I.-driven financial services and technology company, in a Texas trademark and anti-cybersquatting action under the Lanham Act seeking disgorgement of profits, royalties, treble damages and a permanent injunction.

- A global provider of trusted digital commerce and payment solutions, in defense of claims brought by an executive of a leading advertising and marketing service company who sought to recover an option to buy stock valued up to \$56 million in consideration for board service. The Delaware Chancery Court granted our client's motion to dismiss all claims.
- A large private equity firm, in a Texas action seeking injunctive relief against its former press secretary, in connection with his alleged breach of a confidentiality agreement. U.S. District Court Judge granted an agreed upon permanent injunction to resolve the lawsuit. The injunction permanently enjoined and restrained the former press secretary from possessing, disclosing, using, or exploiting the firm's confidential information and the former press secretary withdrew all of his claims, including whistleblower claims, without any payment of money.
- A national real estate brokerage firm, in defense of nine separate national and regional class action lawsuits seeking billions of dollars for alleged anticompetitive behavior in violation of federal antitrust laws concerning price-fixing of brokerage commissions, resulting in a settlement following the filing of motions to dismiss and our success in defeating a motion to establish an MDL.
- A commercial real estate developer, in a suit against its insurer for delay in completion coverage following weather-related damage during the construction of an office tower in Dallas, Texas resulting in a settlement following a two-week jury trial.
- A direct and shareholder's derivative action in Delaware Chancery Court challenging a \$15 million insider-led promissory note offering resulting in a settlement shortly before bankruptcy, including monetary consideration and debt restructuring, following issuance of a TRO and a failed attempt by defendants to dismiss the claims.
- Obtained a complete defense judgment after a lengthy jury trial of a \$56 million subrogation suit against a major natural gas plant operator for a plant fire.
- A major chemical manufacturer in a six-week arbitration seeking \$22.5 million in damages for breach of a plant operating agreement, resulting in an award of \$22.5 million for our client and a complete defense verdict of \$65 million in counterclaims.
- Four major chemical industry companies in defense of multi-district litigations brought by thirty major textile manufacturers involving an alleged price-fixing conspiracy in the North American polyester staple fiber market.
- A major pipeline company in purchaser's termination of service agreements and payments for natural gas based on claimed event of Force Majeure.
- Directors and officers of a publicly traded company for breach of fiduciary duty arising out of the approval of insider-led equity financing rounds which diluted the plaintiffs' equity ownership in the company.
- An oil and gas company in defense of major suits involving a Mexican drug cartel's systematic theft of large quantities of petroleum products from Pemex for sale in Texas.
- A borrower, guarantor and affiliated companies in the default of a \$72.8 million commercial real estate loan (and associated claims for breach of contract, misappropriation of rents, insurance proceeds and tax impound accounts and waste) and subsequent foreclosure on a 2,700-unit apartment complex in Houston, Texas.
- A borrower, guarantor and affiliated companies in the default of a \$15.7 million commercial real estate loan (and associated claims for breach of contract, fraud, tortious interference and civil conspiracy) and subsequent foreclosure on an apartment complex in Houston, Texas.

- A major homebuilder in defense of homeowner suits for alleged faulty construction resulting in a judgment of no liability for our client.
- An oil and gas services company in defense of a mass tort lawsuit resulting from the rupture of a natural gas pipeline in Edison, New Jersey.
- The prosecution of fraud claims related to the sale of securities resulting in a judgment for all damages sought for our client.
- The prosecution and defense of numerous suits for injunctive relief involving theft of trade secrets and violation of covenants not to compete in the oil and gas, chemical and financial services industries.

Practices

Litigation

Securities Litigation

Industries

Private Equity

Education

J.D., Baylor Law School, 1995

B.B.A., The University of Texas at Austin, 1992, *with high honors*

Admissions

Texas

U.S. Supreme Court

Fifth Circuit Court of Appeals

U.S. District Court, Eastern District of Texas

U.S. District Court, Western District of Texas

U.S. District Court, Northern District of Texas

U.S. District Court, Southern District of Texas