

## Robert Slovak

### Partner

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Dallas

214.999.4334



Robert Slovak has over 20 years of experience trying high-stakes commercial cases. Rob is consistently recognized as one of *The Best Lawyers in America*®. Rob's extensive courtroom experience with "business divorces" spans a wide variety of industries, including private equity, family office, energy, multi-level marketing, financial and banking, cryptocurrency, construction, and oil and gas.

Rob routinely handles large, complex, multiparty matters that concern the most important aspects of his clients' business, including cases involving:

- Partnership disputes
- Fiduciary duty claims
- Post-acquisition and working capital disputes
- Theft of trade secrets
- Trust disputes
- Business fraud and business tort claims
- Trademark and copyright
- Management and supervision of registered investment advisors
- Commercial construction disputes
- Insurance coverage disputes
- Fraudulent transfer actions
- Energy and Environmental disputes

In addition to trying cases, Rob serves as outside general counsel for clients in the family office, bitcoin mining, construction, manufacturing, alcohol, multi-level marketing, and financial services industries. His team assists with clients' contracts, acquisitions, fund formation, venture start-ups, intellectual property rights, solar and carbon credits projects, and human resources needs, and identifies, manages, and reduces business risks.

With a strong financial background, Rob is adept at designing alternative fee structures to align with a client's business and litigation goals. For example, he and the banking team have represented companies with large portfolios of commercial loans under a unique fee arrangement that allows the team to anticipate portfolio problems before they occur and to actively manage issues. Clients rely on Rob to provide as much consistency and predictability as possible.

Clients appreciate Rob's strategic advocacy and ability to design creative solutions to legal and business matters, offering the following about Rob:

Rob Slovak is a creative, tactical and strategic trial lawyer, who is at his best when the odds have been stacked against his client. His dogged tenacity, preparedness, wisdom and street smarts consistently translate to client confidence in and out of the courtroom. He is a valued advisor and advocate on the most sensitive matters and critical cases. — Michael Bolton, General Counsel, GFC Capital

Rob is both an excellent litigator and excellent business attorney. He has handled our company's commercial litigation for several years, and during that time, has been relentless, honest, practical, economical, and ultimately, successful. However, Rob is more than a litigator... he understands business, and always provides great legal advice for our commercial issues. — Javier Rocha, General Counsel, DSW International, LLC

Rob Slovak has proven to be an invaluable asset to our team at Fusion. As a business owner, I encounter numerous responsibilities on a daily basis and have had prior experiences working with other attorneys. However, the contrast between those experiences and working with Rob has been remarkable. Regardless of the legal issue at hand, Rob consistently demonstrates a profound level of knowledge and expertise, enabling him to effectively address any matter that arises. Furthermore, I have consistently witnessed his unwavering commitment to prioritizing my best interests. — Ryan Borer, Partner/CEO, Fusion Capital Management.

## Representative Experience

- Obtained injunction and, later, a full defense verdict finding against former President's claim to control rights in multibillion-dollar oil & gas business divorce, "zeroing out" claims for over US\$800m in damages.
- Obtained multimillion-dollar jury verdict against co-packers and suppliers of chicken products.
- Obtained seven figure judgment against healthcare purchaser for fees owed for use of client's proprietary price benchmarking and comparative data analytics providing transparency of hospitals and healthcare facilities to better purchase medical/surgical products.
- Obtained directed verdict "zeroing out" all claims after a five-week jury trial in defense of securities fraud claims against a registered investment advisor firm.
- Obtained a full defense verdict in favor of buyer "zeroing out" seller's claims for in excess of US\$7M based on an alleged breach of stock purchase agreement.

- Obtained full defense arbitration award “zeroing out” claims for fraud, securities fraud and contract claims by an independent advisor representative against registered investment advisor.
- Obtained arbitration award declaring commercial lease termination was proper and a full defense verdict against counterclaims for several million dollars in unpaid rent, recovering substantially all attorneys’ fees.
- Defended publisher of literacy program in multimillion-dollar copyright infringement and trade secret arbitration. Following two-week arbitration, case settled on favorable terms.
- Defend registered investment advisor in seven separate arbitrations and/or lawsuits against claims for securities fraud, breach of fiduciary duties and other claims of failure to supervise independent advisors.
- Defended claims for misappropriation of trade secrets and other business torts in dispute between multi-level marketing competitors. After Foley overturned TRO by mandamus in appellate court, case favorably settled.
- Defended four separate lawsuits filed by multi-level marketing company against former independent contractor alleging unfair competition and other business tort claims.
- Pursued claims and obtained injunctive relief against multi-level marketing business associate for unpaid revenue share and business interference that drove early resolution of dispute and agreed business divorce.
- Represented seller in post-acquisition dispute over earn out, resulting in favorable settlement of over US\$4m.
- Obtained full summary judgment on all claims in defense of theft of trade secrets and tortious interference claims.
- Prosecuted breach of fiduciary duty and minority shareholder oppression claims for medical practice shareholder. Obtained TRO and agreed injunction that led to prompt and favorable settlement.
- Represented national commercial contractor in multimillion-dollar dispute against government contractor-operator of Los Alamos National Laboratories. Negotiated favorable settlement of approximately US\$30m on eve of trial.
- Represented alcohol distributor in dispute over licensing rights; after obtaining an injunction under the Texas Beer Distributor Act, licensing rights were sold to third party for multiple million dollars.
- Obtained partial dismissal of claims under Texas Citizens Participation Act.
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## Clients

Rob’s trial work spans Texas, California, Colorado, Connecticut, Florida, Nevada, New York, New Mexico, North Dakota, Ohio, Pennsylvania, and Wyoming. Rob’s clients have included:

- Austin Commercial Construction L.P.
- Doka USA
- Ennis Paint
- Equify Financial, LLC

- The Fresh Market
- Fusion Capital Management
- GameStop
- Gadeco
- JAH Realty L.P.
- Lennar Corp.
- Midrex Technologies
- North Texas Tollway Authority
- Rialto Capital Management
- Riot Platforms
- Wilks Brothers

## Appellate Decisions

- *Jack J. Grynberg, et al. v. Miriam Z. Grynberg, et al.*; No. 05-16-00636-CV (Court of Appeals, Fifth District of Texas at Dallas)
- *Richardson Communications & Consulting, Inc. v. James H. McNeese*; No. 05-17-00969-CV (Court of Appeals, Fifth District of Texas at Dallas)
- *Richard Goldberg, et. al. v EMR (USA Holdings), et. al.*, No. 05-18-00261-CV (Court of Appeals, Fifth District of Texas at Dallas)
- *In re Geomet Recycling LLC, et al.*, No. 18-0443 (Supreme Court of Texas)

## Awards and Recognition

- Recognized, AV Preeminent® by *Martindale-Hubbell®*, the highest rating standard given to attorneys based on professional excellence for their legal experience, communication skills, and ethical standards by their peers (2022-2024)
- Selected by his peers for inclusion in *The Best Lawyers in America®* in the field of Litigation – Construction (2021-2024)
- Recognized, Texas Super Lawyers®, a Thomson Reuters business, as published in *Texas Super Lawyers Magazine*(2020)
- Recognized, Texas Rising Star by *Super Lawyers®*, a Thomson Reuters business, as published in *Texas Super Lawyers® Magazine*
  - General Litigation (2005, 2009-2013)
- Recognized, 2010 Dallas Furniture Bank's 40 Under 40 (for outstanding service to the community)
- Former Guest Prosecutor, Dallas City Attorney's Office

## Community Involvement

- Member, BBA Advisory Board, The University of Texas at Austin McCombs School of Business (2019-present)
- Board Member, Dallas Theater Center (2016-2020)

- Board Member, Reading & Radio Resource (2008-2015)
  - Secretary (2013-2015)
  - President (2010-2012)
- Board Member, Operation Kindness (2010-2016)
  - President (2014-2016)
  - Vice President (2012-2014)
- Graduate, Dallas Regional Chamber®, Leadership Dallas (2011)
- Graduate, DAYL Leadership Program (2000)
- Member, Texas Longhorn Foundation and Dallas Texas Exes
- Volunteer, Dallas Volunteer Attorney Program
- Volunteer, Dallas Area Habitat for Humanity

## Presentations and Publications

- Co-author, "[Business Considerations of Force Majeure: Unintended Consequences](#)," *Foley's Coronavirus Resource Center* (April 21, 2020)
- Co-author, "[Privacy and Procedural Issues with Lawsuits in the Coronavirus Era](#)," *Foley's Coronavirus Resource Center* (April 14, 2020)
- Co-author, "[Court Procedures: Changes in Response to Coronavirus](#)," *Foley's Coronavirus Resource Center* (March 26, 2020)
- Co-author, "[How Corporate Officers and Directors Can Mitigate Future Shareholder Disputes](#)," *Foley's Coronavirus Resource Center* (March 19, 2020)
- Co-author, "[When Real Estate Transactions Bring Real Securities Risks](#)," *Law360* (February 28, 2020)
- Author, "Perspectives on Expert Deposition Preparation," *Dallas Bar Association Headnotes* (December 2019)
- Co-author, "Mediation Preparation Fundamentals," *LexisNexis* (April 20, 2022)
- Co-author, "Witness Testimony: Preparing Witnesses to Testify at Trial Checklist (AZ, CA, CO, FL, GA, MD, MI, NC, NJ, OH, OK, PA, TX, WA, Federal)," *Practical Guidance* (2022)

## Thought Leadership

- National Litigation Vice Chair (2018-2024)
- Dallas Litigation Chair (2017-2018)
- Finance Committee (2017-2018)
- Dallas Hiring Partner (2015-2018)
- Attorneys' Committee Co-Chair (2014-2016)
- Income Partner Nominating Committee Chair (2014-2015)
- Alumni Committee (2013-2018)

## Sectors

- [Artificial Intelligence](#)
- [Energy](#)

- Hospitality & Leisure
- Innovative Technology
- Oil & Gas
- Racial Justice & Equity
- Renewables
- Retail

## Practice Areas

- Business Litigation & Dispute Resolution
- Construction
- Direct Selling & Multi-Level Marketing
- Energy Litigation
- Litigation

## Education

- The University of Texas School of Law (J.D., with honors, 1999)
  - Legal Intern, Justice David Wilson, U.S. Court of Appeals for the 1st District of Texas (1997)
- The University of Texas at Austin (B.B.A., 1996)
  - Finance
- University College London – Law School, Semester Abroad (1998)

## Admissions

- Texas State Courts
- U.S. District Court for the Eastern, Northern, Western and Southern Districts of Texas
- U.S. Court of Federal Claims
- U.S. Court of Appeals for the Federal Circuit