



Artoush Varshosaz

Practice Area Leader - Litigation

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OVERVIEW

Artoush Varshosaz co-leads the nearly 400 lawyers in the firm's global Litigation and Dispute Resolution practice and is a member of the firm's global advisory committee. He advises large and middle market companies and non-profit organizations to minimize legal risk arising from threatened or pending litigation. Artoush is an experienced litigator with a concentration on complex commercial disputes, internal investigations on behalf of boards and board committees, and financial services litigation. He has significant experience with state and federal law actions related to fiduciary duties, fraud, commercial contracts, negligence, and violation of various state and federal regulatory statutes. Artoush also has significant experience with class action defense, alternative dispute resolution, and insolvency-related actions, such as fraudulent transfers and preferences. He is both a balanced advisor in the boardroom and zealous advocate in the courtroom.

Artoush represents a multitude of clients, including Fortune 50 companies, non-profit organizations, boards of directors, special investigatory committees, startups, financial institutions, health care providers and pharmacies, retailers, entrepreneurs, family offices, residential and commercial property owners and operators, and high wealth individuals in complex disputes in federal, state, and bankruptcy court all over the country.

PROFESSIONAL BACKGROUND

Prior to joining the firm, Artoush was an associate at another international law firm.

ACHIEVEMENTS

- Recognized by *The Legal 500 United States* for Commercial Disputes, 2023
- Named to the Super Lawyers Top 100 Up-And-Coming Attorneys in Texas, 2018, 2019, 2021
- Named to Texas Rising Stars list, 2014-2021
- Named as Best Lawyers in Dallas by *D Magazine*, 2017-2020, 2022
- Nation's Best, Lawyers of Color 2020 Edition
- Certification in Legal Project Management

PROFESSIONAL / CIVIC ACTIVITIES

- University of Oklahoma, College of Law - Member of the Board of Visitors
- Irving-Las Colinas Chamber of Commerce - Board Member
- Dallas Urban Debate Alliance - Board Member
- South Asian Bar Association, Dallas Chapter - Former Board Member
- National Asian Pacific American Bar Association
- The Patrick E. Higginbotham American Inn of Court - alumnus
- Inductee to the Pro Bono College of the State Bar of Texas

SPEAKING ENGAGEMENTS

- An Overview of Litigation Funding, 14 April 2022
- What Every In-House Lawyer Needs to Know to Keep the Attorney-Client Privilege, 10 April 2020
- Board Governance 101, 11 June 2019
- Creditors' Rights: Standing to File an Involuntary Petition, 11 September 2014

EDUCATION

- J.D., University of Oklahoma College of Law, 2008 (*with honors; Order of the Coif; Order of the Solicitors*)
- B.B.A., University of Oklahoma, 2004 (*Finance*)

ADMISSIONS

- Bar of Oklahoma
- Bar of Texas
- United States Bankruptcy Court for the Eastern District of Texas
- United States Bankruptcy Court for the Northern District of Texas
- United States Bankruptcy Court for the Southern District of Texas
- United States Bankruptcy Court for the Western District of Oklahoma
- United States Bankruptcy Court for the Western District of Texas
- United States Court of Appeals for the Fifth Circuit
- United States District Court for the Eastern District of Texas

- United States District Court for the Northern District of Texas
- United States District Court for the Southern District of Texas
- United States District Court for the Western District of Oklahoma
- United States District Court for the Western District of Texas

LANGUAGES

- Farsi (Persian)

THOUGHT LEADERSHIP *POWERED BY HUB*

- May 2022, May 2022 Accolades
- May 2021, May 2021 Accolades
- April 2021, April 2021 Accolades
- 18 March 2020, COVID-19: Applicability of Force Majeure Clauses in the United States

OTHER PUBLICATIONS

- Applicability of Force Majeure Clauses in the United States, K&L Gates Publication, March 2020
- “New Spate of Class Action Lawsuits, an update on Texas Water Code class actions,” TAA Newsletter (co-contributor with T. Schroeter and G. Sapire), 5 August 2015
- Standing to File an Involuntary Petition, materials presented to firmwide audience, 11 September 2014
- “Estate and Derivative Litigation: Gold Mine or Shaft?”, 26th Annual Jay L. Westbrook Bankruptcy Conference, Austin November 2009 (co-authored with Judith Ross)

NEWS & EVENTS

- 4 October 2019, K&L Gates, Numerous Lawyers Honored for Diversity, Legal Leadership

AREAS OF FOCUS

- Commercial Disputes
- Internal Investigations
- Restructuring and Insolvency

REPRESENTATIVE EXPERIENCE

- Advise government contractor in disputes relating to military-grade fighter jets.
- Advise company on disputes with investigator and auditor appointed by the company's audit committee.
- Advise board and board committee on governance issues and internal investigations and provide global legal services to organization ranging from collaborative deals to dispute resolution.
- Advise board, board committee, and charitable foundation on governance issues and internal investigations and provide global legal services to organization ranging from collaborative deals to dispute resolution.
- Obtained all requested damages with attorneys' fees and a take-nothing judgment on all of the counterparties' claims in contentious, multi-year dispute involving complex life insurance investments.
- Advise global event producer on a series of contract disputes related to impacts caused by COVID-19.
- Advise significant U.S.-based retailer on a portfolio of lease, vendor, and supply-chain disputes.
- Advise publicly-traded consumer products manufacturer on a variety of matters including commercial deals, contentious disputes, and compliance.
- Obtained favorable settlement and dismissals with prejudice state court actions asserting common law intellectual property rights and breaches under commercial agreements.
- Obtained take-nothing summary judgment in state court in multi-million dollar action against global software company in highly contentious action with parallel proceedings in Brazil.
- Obtained favorable arbitration award for luxury retailer in arbitration proceeding involving highly-coveted marketing campaign.
- Represented major real estate developer in high risk, multi-party action in federal court alleging fraud and misrepresentations.
- Obtained favorable settlement in state court action under the Uniform Commercial Code.
- Obtained take-nothing summary judgment in contentious subrogation matter in federal court with substantial cross-border involvement of matters in Italy.
- Obtained favorable settlement in trade secret matter involving critical information.
- Obtained favorable settlement in multi-party dispute involving disputed liquidation proceeding and receivership.
- Obtained favorable settlement and dismissals with prejudice in state court action alleging fraud and unfair collection practices.
- Obtained favorable awards and settlements in arbitration with over-bearing pharmacy benefits managers regarding claim audits and investigations.
- Obtained favorable outcome for pharmacy in claims audit and dispute with pharmacy benefits manager.

- Represented emergency clinic in consequential dispute with prominent payor.
- Represented major multi-family property owner in putative class action matters in federal court involving late fees and enrollment fees.
- Represented medical supply company in putative class action under California recording statutes.
- Obtained favorable settlement in multi-million dollar fraudulent transfer action in bankruptcy court.
- Obtained favorable settlement in multi-million dollar preference action in bankruptcy court.
- Represented startup company in highly contentious takeover battle with private equity sponsor that resulted in multi-day bench trial in bankruptcy court.
- Represented healthcare REIT in obtaining favorable settlement in complex bankruptcy proceeding.
- Assisted in representation of large, copper producing debtor in complex chapter 11 proceedings.
- Obtained favorable settlement in state court action collaterally and directly attacking multi-million dollar default judgment.
- Obtained take-nothing summary judgment in state court action alleging fraud and unfair collection practices.
- Obtained a take-nothing, no-infringement judgment in federal court in trademark infringement action involving client's principal mark.