



Allan B. Diamond

Partner | (713) 333-5104 | adiamond@diamondmccarthy.com

Mr. Diamond is the Managing Partner of Diamond McCarthy LLP. He has practiced as a commercial trial lawyer since 1979. He currently maintains an office in both Houston and New York. His trial practice focuses on complex business litigation, particularly matters crossing international borders. Mr. Diamond has litigated and/or tried cases involving corporate, securities, finance/banking, insolvency, officer and director liability, professional liability, intellectual property, real estate, energy and other complex business matters.

Location:

Houston, Texas

Education:

State University of
New York at Oswego, 1975

Emory University
School of Law, 1979

Areas of Practice:

Securities litigation
Corporate Litigation
Finance/Banking Litigation
Oil & Gas Litigation
Professional Liability
Class Actions
Mergers & Acquisitions
Officer & Director Liability

Admitted to Practice:

Texas, 1979

Recent Cases

Mr. Diamond currently is lead trial counsel on the following national and international matters:

- Represent the Cayman Island court-appointed liquidators for two former Cayman Island based companies related to the former Italian international food and dairy conglomerate, Parmalat, in connection with their multi-billion dollar claims in the international MDL proceedings currently pending in the United States District Court for the Southern District of New York (along with related proceedings in the courts of Grand Cayman and Milan and Parma, Italy. These claims involve professional liability, fraud and contract causes of action (2005-present);
- Represent the Post-Confirmation Trustee of the USACM Liquidating Trust arising out of the former USA Capital based sub-prime mortgage lending entities in connection with the Trust's investigation and pursuit of litigation claims involving hundreds of millions of dollars in damages in the federal courts of Las Vegas, Nevada. These claims involve accounting, banking and legal professional liability actions, among others (2007-present);
- Represent the United States Government in providing securities litigation expertise in connection with certain corporate valuation issues;
- Represent several New York and Boston based hedge funds in connection with credit default derivative swap (CDO) contract claims against a large U.S. financial institution;

Mr. Diamond recently has concluded the following national and international cases in which he served as lead trial counsel:

- Represented LJM2, LLP in connection with its investigation and pursuit of millions of dollars in claims arising out of Enron and LJM2's bankruptcy proceedings in Dallas and New York (2002-2005);
- Represented the Trustee of Agribiotech, Inc., a former Las Vegas, Nevada publicly traded company, in connection with officer and director breach of fiduciary duty claims, software implementation breach of contract claims, accounting and other professional negligence and fraudulent transfer claims in the United States District and Bankruptcy Courts in Las Vegas involving more than \$80 million in damages (2002-2005);



Allan B. Diamond

- Represented global Dutch bank, Rabobank Netherlands, in connection with parallel international proceedings involving more than \$100 million in claims against another international European bank pending in Contra Costa County, California, Fresno, California and London, England (1999-2009);
- Represented Tricontinental Industries, a publicly traded company based in Vancouver, Canada in connection with securities fraud, negligent misrepresentation and other claims arising out of Chicago based Anicom, Inc. in the federal courts of Chicago, Illinois (2004-2008);
- Represented Mercury Air Group, a publicly traded airline transportation company, in the state and federal courts of Los Angeles, California in connection with the defense of securities, unfair competition, antitrust, breach of contract and other claims arising out of a failed corporate acquisition (2003-2006);
- Represented global Dutch bank, Rabobank Netherlands, in the Superior Court of San Francisco County, California in accounting and audit misrepresentation litigation against one of the big four accounting firms involving more than \$125 million in damages (2000-2004);
- Represented more than 1,000 Latin American investors in professional liability and officer and director related claims of more than \$350 million in damages arising out of the InverWorld, Inc. bankruptcies in the courts of San Antonio, Texas, the Grand Cayman Islands and the United Kingdom (1999-2009);

Location:

Houston, Texas

Education:

State University of
New York at Oswego, 1975

Emory University
School of Law, 1979

Areas of Practice:

Securities litigation
Corporate Litigation
Finance/Banking Litigation
Oil & Gas Litigation
Professional Liability
Class Actions
Mergers & Acquisitions
Officer & Director Liability

Admitted to Practice:

Texas, 1979

Clients

Mr. Diamond's clients include publicly traded companies, international and domestic financial institutions, trustees and court appointed officials, large net worth individuals and private companies and firms, and other entities. His clients are internationally based throughout the United States, the Caribbean, Europe and Latin America.

Education

Mr. Diamond received his law degree from Emory University School of Law in Atlanta, Georgia, in 1979. He served as a law clerk for the Honorable James C. Hill, United States Court of Appeals for the Fifth Circuit.

Professional Affiliations & Bars

Mr. Diamond is a member of Congress of Fellows for the Center for International Legal Studies in Salzburg, Austria. He is a member of the International Business Law Consortium for the Center for International Legal Studies. He is also an honorary member of the Commercial Bar Association of England and Wales, North American Division, a member of the International Association of Insolvency Professionals based in London, England, a member of the International Bar Association based in London, England and the American Bar Association's International Litigation Division.



Allan B. Diamond

He is member of the State Bar of Texas, the State Bar of Georgia, the United States Supreme Court, the United States Courts of Appeals for the 5th, 7th, 9th, 10th and 11th, Circuits and numerous United States District Courts throughout the United States including, among others, those in Las Vegas, Los Angeles, Chicago, Miami, New York, San Francisco, and all federal districts in the State of Texas. Mr. Diamond also is a member of the Advisory Board for Emory University School of Law in Atlanta, Georgia, of the Texas Bar Foundation and the Houston and Dallas Bar Associations. He has served as co-chair of the State Bar of Texas Advanced Bankruptcy Litigation Committee (2003-2009), has served on State Bar grievance committees and is a frequent lecturer at seminars and conferences around the world on, among other things, international trial and discovery matters.

Mr. Diamond has been named a Texas Super Lawyer every year since the inception of that award (2003, 2004, 2005, 2006, 2007 and 2008).

Location:

Houston, Texas

Education:

State University of
New York at Oswego, 1975

Emory University
School of Law, 1979

Areas of Practice:

Securities litigation
Corporate Litigation
Finance/Banking Litigation
Oil & Gas Litigation
Professional Liability
Class Actions
Mergers & Acquisitions
Officer & Director Liability

Admitted to Practice:

Texas, 1979