



Ladd Hirsch

Partner | (214) 389-5323 | lhirsch@diamondmccarthy.com

Ladd Hirsch is a business-oriented, highly successful trial attorney with more than 26 years experience representing clients in a wide variety of complex business litigation matters and arbitration proceedings. Ladd joined Diamond McCarthy as a partner in 2006. Previously, Ladd was a founding partner of Clouse Dunn Hirsch LLP, a litigation boutique he formed in April 2002. Before starting his own law firm, Ladd had practiced for almost 20 years with Haynes and Boone, LLP, a full-service Texas-based firm, where Ladd headed up its Business Litigation Practice Group in Dallas.

Ladd's practice is characterized by his tenacity and creativity in handling complex litigation matters for and against private and public companies. Ladd has had extensive experience prosecuting and defending civil claims alleging breach of contract, fraud, minority shareholder oppression, breach of fiduciary duties, violation of non-compete covenants, theft of trade secrets and business defamation. Ladd represents both plaintiffs and defendants in these business disputes under both hourly and contingent fee arrangements.

For the past 8-10 years, a significant portion of Ladd's practice has focused on representing investors who hold minority interests in private Texas companies. During the past six years alone, Ladd has been lead trial counsel in matters that have generated more than \$85 million in jury verdicts, arbitration awards and confidential settlements for clients with claims arising out of their investment in closely held Texas businesses. Ladd's considerable experience includes litigating claims in all of the following industries: manufacturing, computer software, insurance, real estate, beer distribution, retail sales, health care, food service, and commercial airlines. Ladd also regularly handles Entertainment Law matters, which typically involve issues, disputes and litigation in the music industry.

Ladd has tried cases to judgment in both state and federal courts, including federal courts located in New York and Chicago, and he has argued cases on appeal at both the state and federal levels in Texas.

Ladd's cases or arbitration proceedings in which he has served as lead counsel in recent years include:

- Jury verdict awarding mandatory dividend of \$65 million to two shareholders of closely held bank software company, and \$2 million in back pay and legal fees for minority shareholder alleging claims of shareholder oppression and breach of fiduciary duties.
- Secured settlement of almost \$10 million in cash and property for LLC member and limited partner alleging claims of shareholder oppression and breach of fiduciary duties.
- Arbitration award totaling close to \$4 million (with interest) for purchaser of retail shopping center, who alleged breach of purchase agreement regarding property condition.
- Obtained substantial confidential settlement in litigation for multiple limited partners of large Texas beer distributorship, who alleged they had been deprived of partnership distributions following sale of assets.
- Obtained sizable confidential settlement in litigation for limited partner and founder of restaurant chain, who had been forced out of management role in the business.
- Secured summary dismissal of claims in Dallas Federal Court for acclaimed rock band arising out of events on national tour.

Location:

Dallas, Texas

Education:

J.D., cum laude, Cornell University, 1983

Finalist, Sutherland Cup Moot Court

Board of Barristers

B.J., News/Editorial

University of Missouri, 1980

Graduated sixth in class

Areas of Practice:

Business Litigation

Partnership Disputes

Business Tort Claims

Entertainment Law

Memberships:

Dallas Bar Judiciary

Subcommittee

Past President of American

Jewish Congress-Southwest

Region

Board Member of Dallas

Children's Theater Center

Dallas Jewish Family Service

Admitted to Practice:

Texas, 1983

Federal District Courts in Texas

United States Court of Appeals,

Fifth Circuit



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Publications or Speeches:

Minority Shareholder Oppression Claims Presentation at Jan 2009 University of Houston CLE Presentation Article of Prof. Douglas K. Moll, University of Houston, referenced with permission: Shareholder Oppression in Texas Close Corporations: Majority Rule (Still) Isn't What it Used to Be

Minority Shareholder Oppression Claims CLE Presentation at July 2008 UT Law Partnership and Limited Liabilities Company Seminar with Prof. Douglas K. Moll, University of Houston, Prof. Moll article referenced with permission: Shareholder Oppression in Texas Close Corporations: Majority Rule (Still) Isn't What it Used to Be

How to Coach Your Client to Be Litigation Saavy, May 2007 (University of Houston)

AICPA National Conference on Fraud & Advanced Litigation Conference, Daubert Presentation, Sept. 2006

Fair Treatment of Minority Ownership Interests, July 2006 (University of Texas)

Game On: Litigation by Minority Shareholders and Others in Private Texas Companies, Jan. 2006 (University of Texas School of Law)

A Pragmatic Approach to Retaining and Presenting Expert Witnesses: Picking All-Stars, Avoiding Busts, 2005 (Winter Advocate)

How to Survive Daubert in 9 Easy Lessons, Oct. 2005 (Page Keeton Civil Litigation Conference)

Document Retention Polices and Issues: Hold 'Em or Fold 'Em, But Don't Throw 'Em Away When the Feds are Knocking at the Door, June 2003 (University of Houston)

Managing Complex Litigation: Discovery in a large Case, and Common Evidence Problems, Dec. 2001 (University of Houston)

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