



## Matthew A. Durfee

Partner

Dallas

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An accomplished commercial litigator, Matt defends clients against complex product liability claims, high-profile class actions and MDLs, and high-stakes business disputes. Matt is considered to be an influential leader in his practice, recognized by *The Best Lawyers in America* as “Ones to Watch” in commercial litigation and by *D Magazine* as a “Best Lawyer Under 40.”

Matt concentrates his practice in high-stakes commercial litigation, including product liability, class actions, breach of contract, negligence, fraud, and international disputes, as well as matters pertaining to wide-scale government investigations. He has a broad depth of experience in both state and federal courts, as well as handling matters that involve complex multidistrict litigation (MDL). Additionally, Matt has experience representing clients in technology, new media, and the telecommunications, automotive, pharmaceutical, and energy and infrastructure industries. He is a well-rounded trial attorney with expertise in a myriad of business disputes.

## Key Matters

*Some of the experience represented below may have been handled at a previous firm.*

## COMPLEX COMMERCIAL LITIGATION

- Served as national defense and coordinating counsel in more than 2,000 cases for an active pharmaceutical ingredient manufacturer in prescription opiate multidistrict litigations and individual cases throughout the U.S. This headline-grabbing opiate litigation is one of the largest and most complex litigations in U.S. history.
- Defended a luxury automobile manufacturer against governmental and consumer claims in the Volkswagen “clean diesel” MDLs, including serving as lead counsel in Texas.
- Won a challenge to personal jurisdiction in Texas state court on behalf of an Australian power company, resulting in the dismissal and voiding of a default judgment that awarded relief equivalent to approximately \$200 million.
- Defended an international printer manufacturer against fraud, breach of contract, and product liability claims, winning a motion to transfer venue from Texas to a California federal district court.
- Secured an approximately \$1 million judgment in an action against a contractor for breach of contract, fraud, and violations of the Texas Deceptive Trade Practices–Consumer Protection Act.
- Defended a Middle Eastern airline against a former employee’s claims for tortious interference with prospective relations, intentional infliction of emotional distress, and defamation.

## BUSINESS DISPUTES

- Represented a national mortgage bank against corporate-raid claims seeking up to \$25 million in damages, including winning a *Daubert* motion resulting in the complete exclusion of the plaintiff’s damages expert and a spoliation motion resulting in sanctions against the plaintiff for the destruction of text messages.
- Defended a homeopathic medicine manufacturer and distributor against a series of class action lawsuits in federal and state courts that alleged violations of state advertising laws.
- Secured summary judgment in a Florida state court, affirmed on appeal, awarding a commercial mortgage lender approximately \$9 million on breach of contract claims.

## TECHNOLOGY, NEW MEDIA, TELECOMMUNICATIONS

- Counsel of record for a major wireless telecommunications provider in obtaining a reversal by the Fifth Circuit Court of Appeals of a district court order denying a motion to dismiss product liability and negligence claims.
- Counsel of record for a major wireless telecommunications provider in obtaining a dismissal in federal district court of product liability and negligence claims, affirmed by the Sixth Circuit Court of Appeals.
- Obtained an order at the motion-to-dismiss stage in Texas state court dismissing with prejudice all claims against a wireless telecommunications provider based on its entitlement to immunity under the Texas Health & Safety Code from claims related to the provision of E911 services.
- Obtained summary judgment for a computer software client to enforce an end-user license agreement in Texas state court.
- Advised a sovereign wealth fund on potential litigation and workout issues concerning real estate portfolios and investments located throughout the U.S.

## ENERGY & INFRASTRUCTURE

- Obtained a grant of summary judgment resulting in the dismissal of an oil and gas company’s claims that it had excluded profitable acreage from a leasehold assignment.
- Represented a coal company being investigated for an explosion that killed 29 people.
- Won an administrative appeal and Texas bench trial for a municipal utility district regarding its ability to issue bonds to improve a wastewater treatment plant.

## Recognitions

- *The Best Lawyers in America*© “Ones to Watch” for Commercial Litigation (2022)
  - *D Magazine*, “Best Lawyer Under 40” (2022)
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## Activities

- Dallas Bar Association
  - Dallas Association of Young Lawyers
  - Dallas Regional Chamber Young Professionals
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## Credentials

### EDUCATION

Matt received his B.S., *summa cum laude*, from North Dakota State University in 2006. He received his J.D., *summa cum laude*, from Baylor University in 2009, where he was the Executive Editor of the *Baylor Law Review*, received the Outstanding First-Year Student Award, and was a member of the Order of the Barristers.

### ADMISSIONS

- Texas

## Related Insights & News

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### PRO BONO IN ACTION

Winston and Toyota Team Up to Support Veterans in Dallas

NOVEMBER 15, 2023

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### IN THE MEDIA

Matt Durfee Joins Winston & Strawn in Dallas Office

JULY 31, 2023

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### PRESS RELEASE

Winston & Strawn’s Dallas Office Further Expands Litigation Practice With Addition of Matt Durfee

JULY 26, 2023

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