

## Jerry L. Beane



### Senior Partner

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Jerry Beane's practice focuses on antitrust and commercial litigation. He has more than 44 years of experience defending federal and state antitrust cases and governmental investigations in banking, construction, energy, explosives, food, health care, home furnishings, insurance, logistics and transportation industries. He also defends patent, trademark, securities, contract and breach of fiduciary duty cases. Jerry's antitrust representation includes work with mergers in the energy, food, health care, transportation, manufacturing and telecommunications industries. He counsels clients on distribution, HSR, joint venture, pricing, price-determination, trade association and compliance program issues.

Jerry also represents liability insurers in coverage, bad faith, Insurance Code violations, claims handling and failure to settle lawsuits, and defends claims including environmental and other coverage issues under CGL policies, reinsurance agreement disputes, specialty coverage issues such as catastrophe injury policy and sporting and entertainment event coverage.

Jerry practices in many jurisdictions and has defended cases in Texas, Arkansas, California, Colorado, Florida, Georgia, Illinois, Louisiana, Nebraska, New Mexico, New York, North Carolina, Tennessee and Wyoming. He is a member of the firm's Policy Committee.

### REPRESENTATIVE EXPERIENCE

- MDL403, In Re: New Mexico Natural Gas Antitrust Litigation - United States District Court for the District of New Mexico - Trial of horizontal and vertical price fixing claims in class action with more than 300,000 class members
- Tucker v. Interstate Brands Corporation - District Court, Johnson County, Texas - Trial of horizontal price fixing claims in class action with more than 52,000 class members
- MDL 1093. In Re: Commercial Explosives Antitrust Litigation - United States District Court for District of Utah, Central Division - Defense of horizontal price fixing claims in explosives industry
- Apani v. Coca-Cola Enterprises - United States District Court for the Northern District of Texas, Lubbock Division and appeal 300 F.3d 620 (5th Circuit 2002)
- Harmar Bottling Co. v. Coca-Cola Co., 218 S.W.3d 671 (Tex. 2006) - Trial of antitrust claims in soft drink industry
- Alexsam v. Wildcard Systems - Defense of patent litigation in Eastern District of Texas
- QPSX v. Nortel - Defense of patent infringement case in the Eastern District of Texas

### INDUSTRIES

Energy  
Insurance  
Manufacturing and Sales

### PRACTICES

Antitrust Counseling  
Antitrust Litigation  
Class Action Litigation  
Commercial Litigation  
Intellectual Property Litigation  
Litigation  
Qui Tam

### EDUCATION

JD, 1967, Baylor University Law School, *Baylor Law Review*, Editor-in-Chief, Phi Delta Phi Legal Fraternity, President  
BA, 1965, Baylor University

### ADMISSIONS

Texas 1967  
US Supreme Court  
US Court of Appeals for the Fifth Circuit  
US Court of Appeals for the Sixth Circuit  
US Court of Appeals for the Tenth Circuit  
US Court of Appeals for the Eleventh Circuit

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### PUBLICATIONS

- Higher HSR Threshold Requirements Effective February 27, 2012 (January 27, 2012)
- Warning to Executives: Reinvestment of Dividends in your 401(k) and Vesting of Stock Awards May Trigger HSR Filing Requirements (January 24, 2012)
- Revised HSR Form Adds Significant Reporting Requirements (July 26, 2011)
- 2011 Hart-Scott-Rodino Threshold Requirements (February 21, 2011)
- Public Statements about Pricing Changes May Create Antitrust Litigation Risk (October 20, 2010)
- "Retrospective Review of Petroleum Industry Mergers" (with Kay Lynn Brumbaugh), *Competition Law360* (November 17, 2008)
- "Antitrust, Fifth Circuit Survey" *Texas Tech Law Review* (1996)
- "Passing-On Revived: An Antitrust Dilemma" *Baylor Law Review* (1980)

### PROFESSIONAL RECOGNITION

- Recognized among the "Best Lawyers" Dallas, *D Magazine* (2001, 2003, 2005, 2007, 2012)
- Recognized as a "Local Litigation Star" in Texas by *Benchmark Litigation* (2011)
- *The Best Lawyers in America*, Antitrust Law and Commercial Litigation (2001-2012)
- Profiled as one of the leading Antitrust lawyers in Texas, *Chambers USA: America's Leading Business Lawyers* (2006-2012)
- Texas Super Lawyer in Antitrust and Business Litigation, *Texas Monthly* (2006-2011)
- Named one of "Best Business Lawyers in Dallas" in White Collar Defense (2009, 2011) and Antitrust, *D Magazine* (2009)
- Profiled as one of the leading Antitrust lawyers in the Southwest, *The US Legal 500* (2009)
- Selected to the 2008 class of Business Defense Lawyers (Defenders), *Dallas Business Journal* (2008)
- Profiled as a Go-to Antitrust Law attorney, *Texas Lawyer Go-to Guide* (2007)
- *Who's Who in American Law*
- Top 100 Texas Super Lawyers, *Texas Monthly* (November 2003)
- Who's Who In American Colleges and Universities

### BRIEFINGS, SEMINARS & SPEECHES

- "A Texas Antitrust Case from Trial through Appeal to the Texas Supreme Court," (co-presenter) Speech to the Texas State Bar Antitrust & Business Litigation Section at the State Bar of Texas Annual Meeting (June 2005)
- "Supreme Court's No Evidence Standard for the 21st Century—Something New or Something Old," presented at the Page Keeton Civil Litigation Conference sponsored by The University of Texas School of Law, Austin, Texas (October 26, 2007)

### AFFILIATIONS

- Fellow, American College of Trial Lawyers
- Member, American Board of Trial Advocates
- Chairman, Antitrust Section of Dallas Bar Association
- Adjunct Professor for Antitrust, Southern Methodist University Dedman School of Law
- President, Baylor Law Review Ex-Editors Association
- Chairman, Continuing Legal Education Committee of Dallas Bar Association
- Chairman, Bar Activities Committee of Dallas Bar Association
- Chairman, Client's Security Fund Committee of State Bar of Texas

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**PRESS RELEASES**

- Eight Andrews Kurth Partners Named 2012 Best Lawyers in Dallas (April 27, 2012)
- Andrews Kurth Receives High Accolades in Litigation and Appellate Practices (December 16, 2011)
- 54 Andrews Kurth Lawyers Named Best Lawyers in America 2012 (September 22, 2011)
- 35 Andrews Kurth Lawyers Named in Texas Super Lawyers 2011 (September 12, 2011)
- D Magazine Recognizes Five Andrews Kurth Partners (May 26, 2011)
- 33 Andrews Kurth Lawyers Named in Texas Super Lawyers 2010 (September 10, 2010)
- 49 Andrews Kurth Lawyers Named Best Lawyers in America 2011 (August 16, 2010)
- 35 Andrews Kurth Lawyers Named in Texas Super Lawyers 2009 (September 16, 2009)
- Andrews Kurth Announces 2009-2010 Policy Committee Election (August 31, 2009)
- 46 Andrews Kurth Lawyers Named Best Lawyers in America 2010 (August 10, 2009)
- D Magazine Honors Two Andrews Kurth Partners (June 24, 2009)
- Six Andrews Kurth Partners Featured in 2009 Super Lawyers Corporate Counsel Edition (April 14, 2009)
- Thirty-Five Andrews Kurth Partners Named in Texas Super Lawyers 2008 (October 3, 2008)
- Andrews Kurth Announces 2008-2009 Policy Committee Election (August 28, 2008)
- Andrews Kurth Partner Jerry L. Beane Recognized Among Dallas' Top Business Defense Attorneys (June 17, 2008)
- Andrews Kurth Receives High Rankings in Chambers USA Guide (June 25, 2007)
- Andrews Kurth Adds to its 2005 Chambers USA Ranking (June 16, 2005)
- Thirty-Six Andrews Kurth Partners Named in Texas Super Lawyers 2007 (October 2, 2007)