

Dena Palermo



Counsel

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INDUSTRIES

Energy Litigation

PRACTICE AREAS

Litigation
Mass Tort Litigation
Corporate Compliance,
Investigations and
Defense

EDUCATION

JD, 1983, *magna cum laude*, Boston University
School of Law
BS, 1980, Binghamton
University

ADMITTED

Texas 1985
New York 1984
US District Court for the
Southern District of
Texas
US District Court for the
Southern District of New
York
US Tax Court

Dena Palermo's litigation practice focuses on the trial of commercial cases and corporate investigations.

Dena has extensive experience representing prominent individuals and corporations in business disputes in state and federal courts. In litigation matters, she has successfully handled disputes involving breach of contracts, securities fraud, lender liability, breach of fiduciary obligations, fraud, medical malpractice, individual and mass toxic torts, real estate, and tortious interference. Dena has also been involved in e-discovery litigation and counseling.

Dena's experience in corporate investigations has included representation of corporations and audit committees in investigations and disclosures to the SEC, DOJ, and FTC of transactions implicating the Foreign Corrupt Practices Act, Sarbanes-Oxley and the Sherman Act. Dena also counsels U.S. companies with foreign operations regarding compliance with the FCPA.

REPRESENTATIVE EXPERIENCE

- Successfully conducted an internal investigation on behalf the board of directors of a domestic subsidiary of a multinational corporation regarding alleged violations of the Sherman Act, in connection with proceedings before the FTC, resulting in no action by the government.
- Represented an audit committee of a publicly-traded oil field services company before the SEC and DOJ in an investigation of alleged payments to foreign officials in West Africa.
- Represented a synthetic fuel technologies company against a private investment company based upon the breach of a stock purchase agreement in federal courts in Tulsa, Oklahoma and New York.
- Obtained a multi-million dollar judgment and specific performance after a jury verdict on behalf of a commercial real estate development limited partnership in prosecuting claims for breach of contract, fraud and tortious interference in connection with the purchase of a tract of land for development from a international oil company.
- Substantial litigation of e-discovery disputes and violations of the duty to preserve, resulting in a \$650,000 sanctions award against an international oil company.
- Successfully defended a variety of securities cases in federal courts in Texas and in NASD arbitrations.

Dena Palermo

- Represented an international chemical corporation as national counsel in toxic tort litigation, responsible for overseeing all phases of developing the trial strategy and preparing the trial outline for outside trial counsel.
- Represented an international oil company in three actions brought by local taxing authorities, claiming fraud in the valuation of oil reserves. Obtained dismissal of all three matters.
- Represented a foreign telephone company in a lawsuit in federal court in Texas involving claims of an alleged breach of an agency agreement in Mexico. Settled on confidential terms.
- Represented an international oil field services company in Tax Court regarding a section 482 dispute over transfer pricing with its foreign subsidiaries. Settled on favorable terms.
- Obtained summary judgment on behalf of a non-profit health care provider in a personal injury matter involving failure to diagnose cervical cancer.
- Obtained a permanent injunction on behalf of individual doctors against defendants who sought to disrupt medical services doctors provided to their patients.
- Successfully defeated an injunction action brought against an insurance company for failure to renew a doctor's contract as a network provider.
- Successfully represented major health care institutions in a variety of personal injury matters involving the HIV virus.

ARTICLES/PUBLICATIONS

- "Bribery: US is Cracking Down on Payments Made Under Table" [Houston Business Journal](#) (August 31, 2007)
- "Today's Women Lawyers Want to be Mentored. The Real Question Is, By Whom?" [Houston Lawyer](#) (May 2005)
- "Ascertaining Undefined State Law Under the Erie Doctrine: Factors Etc., Inc. v. Pro Arts, Inc." [Boston University Law Review](#) (1982)

BRIEFINGS, SEMINARS & SPEECHES

- "The Top Ten Things to Consider When Your Company is Confronted with a Government or Internal Investigation," presented at [Andrews Kurth's Executive Women's Retreat](#) (October 2008)
- "Is Justice Gender Blind?" presented at [HBA Gender Fairness Luncheon Series](#) (May 2008)
- "Discovery Compliance Under The Amended ESI Rules," presented at [Waste Management](#) (March 2008)
- "Leaving and Re-entering the Legal Workforce," presented at [HBA Gender Fairness Luncheon Series](#) (January 2008)
- "Mentoring and Rainmaking," presented at [HBA's Woman Lawyer's Guide to Effective Communication](#) (April 2006)
- "Ending Isolation: Keys to Effective Mentoring Programs," presented at [ABA Leadership Summit](#) (July 1995)
- Topic: "How to Invoke the Court's Power to Control Discovery: A Demonstration," presented at [University of Houston Law Center Advanced Civil Discovery](#) (June 1994)
- "Admissibility of Junk Science," presented at [ABA Litigation Section Meeting](#) (Fall 1993)
- "Sanctions Under Tex.R.Civ.P. 13," presented at [University of Houston Law Center, Advanced Civil Litigation Seminar](#) (March 1991)

PROFESSIONAL/CIVIC AFFILIATIONS

Member

- Life Fellow, Houston Bar Association
- Life Fellow, Texas Bar Foundation
- State Bar of Texas
- State Bar of New York

Dena Palermo

Professional Activities

- Co-Chair, Houston Bar Association Gender Fairness Committee, 2007-2008
- Member, HBA Gender Fairness Committee, 2004-present
 - Programming Committee Member, HBA's Woman Lawyer's Guide to Effective Communication, Mentoring and Rainmaking, April 2006
 - Co-Chair Programming Committee, HBA's Woman Lawyer's Guide to Effective Communication, Mentoring and Rainmaking, April 2005
- Texas Executive Women, Career Tours High School Mentoring Program, April 2007
- Chair, Women's Initiative, Mayer Brown's Houston Office, 2007
- Houston Bar Association, Director, May 1993-1995
 - Founder, HBA Mentoring Program 1993
 - Chair, Mentor Subcommittee of the HBA Professionalism Committee, 1993-1995
 - Co-Chair, HBA Legal Line Committee 1994-1995
- Association of Women Attorneys, Director 1993-1995
 - Chair, AWA Judicial Reception Committee 1994-1995
 - Co-Chair, AWA Charity Softball Game 1993
- Association of Women Attorneys Foundation, Trustee, May 1993-1995
 - Co-Chair AWAFF Tribute to Women Judges of Harris County 1994
- South Texas College of Law, Women's Forum, Volunteer Mentor 1991-1994