

People



C. Bryce Benson

Partner, Litigation

Dallas

T: +1 214 720 4302

bryce.benson@akerman.com

vCard

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Bryce Benson litigates complex disputes for a broad range of clients, including Fortune 500 corporations, mid-size companies, and individuals. His experience spans a variety of sectors, including financial services, energy, healthcare, technology, and manufacturing. Bryce has substantial experience litigating commercial cases and business disputes, including claims for breach of contract, fraud, breach of fiduciary duty, negligent misrepresentation, and other business torts, in state and federal courts, and in arbitration. He has experience in securities litigation, including the representation of broker-dealers in FINRA arbitrations, regulatory investigations, and enforcement proceedings as well as Texas state tax litigation.

While litigating disputes, Bryce endeavors to be a trusted advisor and counselor by reassuring clients and witnesses, providing sound guidance and developing an overall objective – which may be moving aggressively to obtain relief, a vigorous defense of frivolous claims, or a prudent, early settlement necessitated by potential liability. His strengths include analyzing and conveying risk at an early stage and delivering prudent advice and case developments in a clear and concise manner, as well as meticulous preparation and effective advocacy.

Notable Work

FINRA Arbitration: Represented a national broker-dealer in a FINRA arbitration. Claimants alleged their registered representative made unsuitable recommendations regarding their variable annuity investments and sought more than \$1 million in damages. The FINRA panel denied claimants claims for unsuitability, failure to supervise and unauthorized transaction in their entirety, ordered claimants to pay costs and granted expungement to the registered representative. Represented same broker-dealer in over twenty arbitrations across the United States in the past three years.

Computer Fraud/Electronic Communications: Represented a hospital in prosecuting claims against a former executive for

Areas of Experience

Litigation
 Broker-Dealer
 Commercial Disputes
 Securities Litigation
 Directors and Officers (D&O) Liability
 Financial Services
 Probate and Fiduciary Litigation
 Tax
 State and Local Tax Consulting and Controversy

Education

J.D., The University of Texas School of Law, 2001
 B.A., Vanderbilt University, 1998

Admissions

Bars

Texas

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violations of the Electronic Communications Privacy Act/Stored Communications Act (ECPA) and the Computer Fraud & Abuse Act (CFAA) in federal court. The executive misappropriated confidential information after her resignation. The litigation lasted four years and involved significant discovery and complex forensic issues, as well as a bankruptcy adversary proceeding. Obtained summary judgment in the amount of \$1.3 million for hospital.

Bet-the-Company Litigation: Represented an aluminum manufacturer in a multiyear, highly contentious litigation involving a customer's allegations of accelerated, widespread corrosion, resulting in claims for breach of contract and breach of warranty. The customer sought in excess of \$250 million in damages. An adverse verdict would have forced the manufacturer into bankruptcy. After dozens of depositions of fact and expert witnesses, the case settled on highly favorable terms to our client.

Fortune 1000 Corporation: Represented client in defending allegations of breach of contract, fraud, fraudulent inducement, money had and received, and unjust enrichment, stemming from plaintiffs' multimillion dollar purchase of assets. Plaintiffs sought damages in excess of \$20 million. Court granted summary judgment after extensive briefing and ordered that plaintiffs take nothing on all claims.

Non-Compete: Represented a healthcare partnership in prosecuting a non-compete agreement against a physician partner. Obtained summary judgment and damages of \$1.9 million for client.

AAA Arbitration: Represented a technology company prosecuting claims for breach of contract and quantum meruit in an arbitration against a former client who failed to pay outstanding invoices for services rendered. After highly contentious proceedings, the arbitrator rendered a monetary award for the company, and denied the defendant's request for attorneys' fees under a California statute. Obtained a significant settlement for same client shortly after initiating an arbitration against another non-paying customer.

Patent Litigation: Represented a technology company sued by one of the world's largest insurance providers who asserted a claim for breach of an indemnity agreement after the corporation was pursued for patent infringement relating to a product sold by the technology company to the insurance provider. Obtained summary judgment.

Shareholder Derivative and Class Action Suits: Represented an energy corporation in shareholder derivative and class action lawsuits arising from a multibillion dollar transaction. Work included managing e-discovery issues, developing parameters for significant document review, and supervising 15 attorneys conducting document review.

Financial Services: Represented a financial services company in resolving litigation of claims alleging suitability, misrepresentation, and churning brought by 55 individuals. Complicating factor of former employee's embezzlement and fraud exposed client to potentially significant liability. Case settled favorably for client.

Published Work and Lectures

- Advanced Evidence and Discovery CLE, Speaker, "Requests for Production and Requests for Disclosure: How the Rules Impact Your Practice," July 2004

- *Legal Guide for Cancer Patients*, Contributing Author, Texas Young Lawyers Association, 2006

Affiliations

- Texas Bar Foundation, Fellow
- Dallas Bar Foundation, Fellow
- Park Cities Presbyterian Church, Justice Committee, Member
- Vanderbilt University Alumni Recruitment, Past Co-Chair

Honors and Distinctions

- *Super Lawyers* Magazine 2016, Listed in Texas as a “Rising Star” for Business Litigation
- *Thomson Reuters*, Texas Rising Stars 2005-2007, 2009-2015, Listed for Business Litigation
- Texas Young Lawyers Association, President’s Award of Merit for Outstanding Service to the Public and the Bar, 2006-2007