



David A. Chaumette

National Partner

Practice Areas
Litigation

Practice Description

David has tried cases to a jury verdict and prosecuted appeals before appellate courts across Texas and the United States. David's trials have involved contractual disputes with oil and gas issues, securities, software licensing, and real estate disputes.

Representative Clients, Cases or Matters

- Litigation against a publicly-held company and one of its officers against claims of commodities fraud,
- Representation of a publicly-held company (specifically, extensive work related to electronic discovery) against securities fraud claims of over five billion dollars,
- Advising clients on records management system implementations, given heightened requirements developing as to corporate records,
- Oversight of collection efforts related to discovery in a multidistrict litigation,
- Litigation on behalf of a software company against its former consultants,
- Coordination of national defense efforts for a window manufacturer against product liability claims in 15 states,
- Representation of the purchaser of a bankrupt entity's assets as part of that entity's plan of reorganization,
- Litigation regarding enforcement of copyrights of advertising materials, and
- Litigation regarding contractual rights under a multimillion dollar service contract.

Publications and Articles

Manuel López and David A. Chaumette, *Expert Witnesses and Reports*, The Advocate (Journal of the Litigation Section of State Bar of Texas), Vol. 42, Spring 2008

David Chaumette and Michael Terry, *The World of E-Discovery or How I Learned to Stop Worrying and Love the New Rules*, The Houston Lawyer; November/December 2006

David A. Chaumette and Brad Harris, *Authenticating Electronic Evidence: From Collection to Production*, E-Discovery Advisor Magazine and LJN's Legal Tech Newsletter; May 2006

David A. Chaumette and Lynnea Myers, *Force Majeure Clauses Protect Companies from the Unexpected*, Houston Business Journal

David Chaumette, co-author, *Zubulake or Zubuluck: A Lesson in Litigation Reading* (aka FRCP Readiness), Corporate Counsel

David A. Chaumette, *Divining the Future: Anticipating Tomorrow's EDD Standards, Defend Corporate Communications Today*, Digital Discovery & Evidence

David A. Chaumette and James A. Hurd Jr., *Monitoring Electronic Data Now Can Spare Litigation in the Future*, Houston Business Journal

David A. Chaumette, co-author, *Back-Up Tapes, Metadata and 'Delete': Questions Surround Proposed Federal E-Discovery Rules*, Texas Lawyer, April 4, 2005

David Chaumette, co-author, *Don't wait for Waters to Rise Before Making a Plan Continuity*, Houston Business Journal

David A. Chaumette and William W. Cason, *Auditing Environmental Audit Polices: Has Industry Been Hoisted on Its Own Petard?*, University of Wisconsin Law School, Volume 4, 1997

David A. Chaumette, *ISO 14000: The Coming Management Standards*, Texas Lawyer; October 14, 1996

Presentations

"Surviving the last 90 Days before Trial or Getting Motions, Discovery, and Order Ready for Trial Without Letting Anything Slip," University of Houston Law Foundation, August 2006, August 2007 & August 2008

"Cost Effective E-Discovery Approaches," Texas Minority Attorney Program (Houston and San Antonio), May 2008

"Litigation Update / Daubert Update," State Bar of Texas, January 2008

"E-Discovery Workshop," University of Texas at Austin, October 2007

"E-Discovery After the New Federal Rules," West Legalworks, September 2007

"Electronic Evidence," State Bar of Texas CLE, 30th Annual Advanced Civil Trial Course, August 2007, October 2007 & November 2007

"Settlement Thoughts and Strategies," University of Houston Law Foundation, April 2007

"Electronic Discovery: Legal Issues and Practical Challenges," Houston Paralegal Association, March 2007

"Morgan Stanley: An E-Mail Tale Gone Bad," SHB E-Discovery Program for IT Professionals and Corporate Counsel, November 2006

“Attorney Fees,” Causes of Action Conference, State Bar of Texas, April 2006

“Marketing Approaches,” State Bar of Texas – Texas Minority Attorney Program, April 2006

“Lawyer as Fortune Teller: Avoiding Tomorrow’s Sanctions Today,” Compliance Resources, November 2005; Fios, Inc. Podcast

“The challenges of serving on a not-for-profit board,” Presentation to Alpha Phi Alpha Education foundation, August 4, 2005

“Keeping Your Secrets Secret: Covenants Not to Compete and Trade Secrets in Texas,” Advanced Employment Law Institute, University of Houston CLE, August 2004

“Summary Judgment Practice after HB4,” Presentation before Houston Bar Association, August 19, 2004

“Admission and Interrogatories: Drafting Good Discovery in Complex Cases,” Advanced Evidence and Discovery Institute, University of Houston CLE, July 2002, July 2003 & November 2007

“Electronic Discovery: Treasure Trove or Sinkhole,” Litigation Tactics Seminar, University of Houston CLE, March 2004 & July 2004

“Electronic Discovery: How to Ask for It And How to Use It,” Advanced Evidence and Discovery Institute, University of Houston CLE, January 2003 & January 2004

“Ethics: Conflicts, Confidences and Considerations,” Presentation to Andrews & Kurth, November 12, 2003

“Multiple Representation and Disclosure: Ethics in an Environmental Practice,” 1999 Louisiana Mineral Law Institute Program: Environmental Law for the Oil and Gas Lawyer and Landman, August 26-27, 1999

“Personal Jurisdiction and the Internet,” ABA Conference: A National Institute on Representing High Technology Companies, San Francisco, California, November 13, 1998

Awards and Honors

In 2006, David was elected to the American Law Institute and Litigation Counsel of America.

In 2004, David was selected as one of the Five Outstanding Young Houstonians by the Houston Junior Chamber of Commerce and one of the Five Outstanding Young Texans by the Texas Junior Chamber of Commerce. That year, he was also selected as a Volunteer of the Year by both the Girl Scouts of San Jacinto Council and Volunteer of the Year of Aspiring Youth of Houston. In 2005, David was named to Visitors Committee of the South Texas College of Law in Houston. In 2003, David was admitted into the Pro Bono College of the State Bar of Texas because of his commitment to pro bono work.

In 2006, David was named one of the 500 New Stars by Lawdragon.com. David has also been recognized as a Texas Rising Star in 2004, 2005, and 2006, and as a Houston Lawyer on the Fast Track (2004) and Houston Professional on the Fast Track (2005).

Professional Affiliations

- Past President of the Houston Young Lawyers Association
- Past Chair of Leadership Houston
- Past President of the Houston Lawyer Referral Service
- Chair of the Houston Lawyer Foundation
- Board member of the Houston Bar Association
- Board member of the Holocaust Museum Houston
- Board member of Neighborhood Center, Inc.
- Board member of First Colony Little League
- Advisory Board member of Young Audiences of Houston
- National Bar Association
- Houston Lawyer Association
- College of the State Bar of Texas

Education & Bar Admittance

Mr. Chaumette is admitted to practice before the state courts of Texas, the U.S. District Court for the Northern, Southern, Western and Eastern Districts of Texas and the District of Colorado, the U.S. Court of Appeals for the Fifth Circuit and the U.S. Supreme Court. Dave received his J.D. degree from the University of Chicago Law School, his M.S. degree from Stanford University (Aeronautics/Astronautics), and his B.S.E., *cum laude*, from Princeton University.

DE LA ROSA & CHAUMETTE



David Chaumette represents corporations in numerous industries on litigation matters pending across the United States. Those matters have included oil and gas, securities, software licensing, and employment-related disputes. He has tried several cases to jury verdict has prosecuted appeals. He is also a leading lawyer on issues related to electronic discovery and data management.

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Representative Matters:

- Litigation against a publicly-held company and one of its officers against claims of commodities fraud,
- Representation of a publicly-held company (specifically, extensive work related to electronic discovery) against securities fraud claims of over five billion dollars,
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- Litigation on behalf of companies against its former consultants and employees on issues related to trade secrets and other protected materials,
- Coordination of national defense efforts for a window manufacturer against product liability claims in 15 states, and
- Representation of the purchaser of a bankrupt entity's assets as part of that entity's plan of reorganization.

Selected Articles:

- David Chaumette, co-author, "Privilege Under the New Rules: New Mines in the Litigation Minefield," The Commercial Law Connection (National Bar Association Commercial Law Section); Summer 2007.

- David Chaumette and Michael Terry, "The World of E-Discovery or How I Learned to Stop Worrying and Love the New Rules," *The Houston Lawyer*; November/December 2006.
- David A. Chaumette and Brad Harris, "Authenticating Electronic Evidence: From Collection to Production," *E-Discovery Advisor Magazine and LJN's Legal Tech Newsletter*; May 2006.
- David A. Chaumette and Lynnea Myers, "Force Majeure Clauses Protect Companies from the Unexpected," *Houston Business Journal*, February 13, 2006.
- David Chaumette, co-author, "Zubulake or Zubuluck: A Lesson in Litigation Reading (aka FRCP Readiness)," *Corporate Counsel Magazine*, February 2006.
- David A. Chaumette, "Divining the Future: Anticipating Tomorrow's EDD Standards, Defend Corporate Communications Today," *Digital Discovery & Evidence*, August 2005.
- David A. Chaumette and James A. Hurd Jr., "Monitoring Electronic Data Now Can Spare Litigation in the Future," *Houston Business Journal*, August 1, 2005.
- David A. Chaumette, co-author, "Back-Up Tapes, Metadata and 'Delete': Questions Surround Proposed Federal E-Discovery Rules," *Texas Lawyer*, April 4, 2005.
- David Chaumette, co-author, "Don't Wait for Waters to Rise Before Making a Plan Continuity," *Houston Business Journal*, May 5, 2003.

Selected Presentations:

- "E-Discovery: Legal Issues and Practical Challenges," State Bar of Texas CLE, 31th Annual Advanced Civil Trial Course, Fall 2008.
- "Common Pitfalls in E-Discovery" State Bar of Texas CLE, Suing and Defending Governmental Entities, July 2008.
- "Electronic Discovery Update," State Bar of Texas – Texas Minority Attorney Program, May 2008.
- "Litigation Update / Daubert Update," State Bar of Texas, January 2008.
- "Top Ten Tips on E-Discovery," Texas Minority Counsel Program, November 2007.
- "E-Discovery After the New Federal Rules," West Legalworks, September 2007.
- "Electronic Evidence," State Bar of Texas CLE, 30th Annual Advanced Civil Trial Course, Fall 2007.

- “Surviving the last 90 Days before Trial or Getting Motions, Discovery, and Order Ready for Trial Without Letting Anything Slip,” University of Houston Law Foundation, August 2008.
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Professional Affiliations

- Member of the Board and Executive Committee of the Houston Bar Association
- Member of the Board of The Holocaust Museum Houston
- Member of the Board and Executive Committee of Neighborhood Centers, Inc.

- Member of the Board and Executive Committee of the First Colony Little League
- Member of the Board of Young Audiences of Houston
- Fellow, American Law Institute
- Fellow, Litigation Counsel of America
- National Bar Association
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