



Eric R. Burris

Shareholder

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Albuquerque, New Mexico

When the stakes are high and the litigation is complex, companies turn to Eric Burris. Eric is known for his presence and success in the courtroom, having represented high-profile clients in the healthcare, financial services, real estate and other sectors for almost 30 years. His wide-ranging commercial litigation practice includes contentious civil matters such as economic torts, intellectual property, employment and labor issues, complex/mass torts, product liability and other personal injury disputes, antitrust claims and class action lawsuits.

Eric has successfully defended clients throughout the state of New Mexico, as well as in Texas, Colorado, Arizona, California, Indiana, Nevada and Washington. He handles cases ranging from the simplest alternative dispute resolution procedures, American Arbitration Association claims and administrative hearings and trials, to jury and non-jury trials in state and federal courts.

Eric has particular experience with healthcare matters, product liability claims, and public utility matters such as construction/delay claims, property damage, right-of-way and easement issues, boundary determinations and leasehold interests. In the real estate sector, he has represented clients in claims for misrepresentation of both residential and commercial properties, development of commercial property and other general real estate concerns.

His industry-leading clients have included Ardent Health/Lovelace Health System, Bristol-Myers Squibb, Roche Laboratories, CenturyLink, Qwest Corporation, Xcel/Southwest Public Service Company, Philip Morris USA, Dow Corning, Stryker Corporation, Sony Corporation, Public Service Company of New Mexico, Clear Channel Communications, National City Mortgage/PNC, Flintco LLC and Defiant Technologies.

Eric serves as chair of Brownstein's Litigation Group and is Albuquerque's Office Managing Partner. He also serves as a member of both the firm's Pro Bono Committee and Diversity and Inclusiveness Committee.

Previous Experience

Eric Burris is a trusted trial attorney to both clients and fellow legal professionals for his vast experience in commercial litigation. His core focuses include liability issues, defense of mass torts and personal injury, and labor and employment concerns. He is frequently sought out by other legal professionals in this regard, with one source stating: "I would rank Eric Burris at the top of my list for co-counsel in New Mexico for product liability matters." - Chambers USA, 2018

Practices

Antitrust, Class Action Litigation, Commercial Litigation, Consumer Protection, Employee Benefits, Telecommunications & Media

Health Care

Eric's extensive experience representing entities in the health care industry includes health insurers, managed care organizations and health care providers in all levels of investigations, litigation and arbitration proceedings. He has worked extensively as team leader on various matters cross-office with other Brownstein attorneys to achieve significant cost-savings in claim reimbursement and other contract

enforcement matters for our clients. He is also experienced in matters of insurance coverage, antitrust and other class-action suits.

Representative Matters

- Represented RV Management Corp. and its subsidiary, Renal Ventures Management, LLC in the sale of 100% of the issued and outstanding equity interests of Renal Ventures Management, LLC to DaVita Inc. Renal Ventures Management, LLC owned and operated approximately 40 renal dialysis clinics in the states of Texas, Iowa, Pennsylvania, West Virginia, and New Jersey. The sale included a full sale process run by Raymond James, comprehensive negotiations with DaVita Inc., a detailed antitrust review process before the Federal Trade Commission, the divestiture by DaVita Inc. of several clinics (including three acquired clinics), and the spin-off of the infusion and vascular lines of business post-closing.
- Served as lead counsel for Flintco, LLC and Flintco West, Inc. in a state level qui tam action brought regarding alleged fraud in the procurement and billing of the \$60 million dollar renovation of the University of New Mexico Arena (the "Pit"). In what may be the first state level false claims act case to be tried to a jury, Eric and his team were able to get a complete defense verdict on all claims.
- Served as lead counsel to Defiant Technologies, Inc. in claims that Defiant undertook to unlawfully obtain licensing of certain intellectual property technology from Sandia National Laboratory, thereby depriving the Plaintiff of the ability to continue its economic development of similar technology. After obtaining complete summary judgment on all of Plaintiff's claims against Defiant, Eric tried a claim of malicious abuse of process against the original Plaintiff to a jury in Federal Court in Santa Fe, New Mexico, asserting that Plaintiff brought suit against Defiant to wrongfully prevent Defiant from gaining a competitive advantage in the market. As a result of the trial, Eric obtained judgment against the Plaintiff for \$2 million and was able to collect same.
- Served as on-going outside counsel to The Wellbridge Company in connection with its ownership and operation of health club facilities located in various states. This representation includes corporate structuring; real estate and club acquisition, development and financing; dispositions and leasing; contracts incidental to operations; and coordination of employment and labor matters and litigation prosecution and defense.
- Represented the City of Albuquerque in the negotiation of the IRB lease agreement relative to Phillips Semiconductor's plant closure. *Gulfstream Worldwide Realty, Inc. vs. Philips Electronics North America Corporation.*

Community

Board of Directors and Secretary for the Greater Albuquerque Habitat for Humanity

Former Member of Board of Directors and Development Director, Dismas House of New Mexico

Former President, Pueblo Alto Neighborhood Association

Publications & Presentations

- Executive's Desk: High Court Mulls Legality of Retroactive Law, Author, *Albuquerque Journal*, March 30, 2015
- Key Takeaways for Companies to Consider When Doing Government-Contract Work, *Brownstein Client Alert*, March 14, 2013

Education

- J.D., 1988, Southern Methodist University
- B.S.B.A., 1984, *cum laude*, Tulsa University

Admissions

- New Mexico
- U.S. District Court, District of New Mexico
- U.S. Court of Appeals, Tenth Circuit
- U.S. District Court, District of Colorado
- U.S. Court of Appeals, Seventh Circuit

Recognition

Best Lawyers in America, 2015-2019

Chambers USA, 2014-2018

IP Star - New Mexico, 2014-2018

IP Star - Global, 2018

"Local Litigation Star," New Mexico, *Benchmark Litigation*, 2010-2018

Membership

Albuquerque Bar Association

American Bar Association

Defense Research Institute

New Mexico Defense Lawyers Association

New Mexico Trial Lawyers Association

State Bar of New Mexico, Former Secretary, Commercial Litigation Section