

#### Practice Areas

- Litigation
- Labor & Employment Law

#### Education

- Louisiana State University, B.S. Management, 1993
- Loyola University – New Orleans, J.D., cum laude, 2001

#### Honors

- Loyola University School of Law, Comment Editor, Loyola Law Review
- Named a “Lawyer on the Fast Track” by H Texas Magazine, 2007 and 2008
- Texas Super Lawyer, “Rising Star” 2009, 2010

#### Bar Admissions

- Texas

#### Court Admissions

- United States District Court for the Southern and Eastern Districts of Texas

## C. Larry Carbo, III

Shareholder  
Houston

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C. Larry Carbo III maintains a commercial litigation practice focusing on representation of financial institutions, corporations and other business entities in matters of employment including misappropriation of trade secrets, enforcement and defense of non-competition agreements, breaches of fiduciary duty and claims under the Fair Labor Standards Act; workout/restructure efforts as well as chapter bankruptcy proceedings; construction litigation including claims involving delay damages, defective work, non-payment and lien issues; commercial collections including initial collection efforts through post-judgment proceedings; adversary proceedings in bankruptcy court; and general contract disputes.

Mr. Carbo has successfully prosecuted and defended many claims on behalf of companies in cases involving enforcement of non-competition agreements, misappropriation of confidential information and trade secrets and breach of contract. Recently he managed the collection of in excess of \$2 million on behalf of clients and defended many others where potential damages often exceeded \$3 million.

In addition, Mr. Carbo possesses experience representing companies in claims arising under the Texas Deceptive Trade Practices Act, federal and state anti-trust litigation, indemnity and insurance issues, securities fraud, shareholder oppression, director and officer liability, defamation and business disparagement claims and Lanham Act claims.

#### Recent Trial Experience

**March, 2010:** Cause No. 2008-42098; *IWS Gas and Supply of Texas, Inc., et al; v. Airgas-Southwest, Inc. and Brent Sparks*; In the 164th Judicial District Court of Harris County, Texas – Successfully prosecuted malicious prosecution claim against Airgas. After two week trial, obtained jury verdict in favor of IWS, awarding IWS all litigation costs and attorneys fees related to malicious prosecution.

**June, 2010:** Cause No. 2009-05057; *EMS USA, Inc. v. Epoxy Design Systems, Inc.*, in the 11<sup>th</sup> Judicial District Court of Harris County, Texas – Successfully defended

## C. Larry Carbo, III, *Continued*

claim by EMS against Epoxy for payment of over \$300,000 of services EMS claimed it performed for Epoxy. After three day trial, obtained jury verdict in Epoxy's favor on all counts.

**December, 2008:** Cause No. 2008-51564; *Glazier Foods Company v. Chris Stone and Gary Walker*; in the 334th Judicial District Court of Harris County, Texas; Cause No. 2008-51079 – Successfully prosecuted claim for breach of covenant not to compete and, after two day evidentiary hearing, obtained temporary injunction in favor of Glazier.

**June, 2008:** Cause No. 2006-52296; *Anthony Bruce Carroll v. BEI Engineers*; In the 334th Judicial District Court of Harris County, Texas – Successfully prosecuted breach of contract and fraud claim against BEI for commissions owing. After one week trial, obtained favorable settlement for Plaintiff after jury indicated it was only deliberating on issue of the appropriate amount of exemplary damages.

**April, 2008:** Cause No. 2006-64492; *IWS Gas and Supply of Texas, Ltd., et al. v. Airgas-Southwest, Inc.*; In the 269th Judicial District Court of Harris County, Texas – Successfully defended IWS and eight of its employees in \$30 million dollar lawsuit by one of its largest competitors alleging claims of misappropriation of trade secrets, breach of fiduciary duty. After two week trial, obtained directed verdict on all claims and a jury verdict in favor of IWS for recovery of attorney's fees.

### Significant Matters

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- Represented plaintiff/employer in federal court lawsuit against former employee and new company for claims involving misappropriation of trade secrets and confidential information. Settled case at eve of trial for \$425,000, the total amount of damages sought by employer, plus attorneys' fees.
- Represented plaintiff/employer in lawsuit against former employees and shareholders for violations of non-competition agreements and misappropriation of confidential information and trade secrets. Obtained temporary restraining order prohibiting competition and use of confidential information. Thereafter, within one month of filing lawsuit, settled case by forcing buy out of share in company at a significantly reduced price. Also, obtained a permanent injunction preventing competition and use of confidential information.
- Represented plaintiff/subcontractor in lawsuit against large contractor to recover approximately \$900,000 contractor had failed to pay. Contractor claimed subcontractor delayed performance and, therefore, was only required to pay \$30,000. Subcontractor admitted delay but denied extent. Filed lawsuit and, within three months, case settled for \$875,000.

### Professional Affiliations

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- Houston Bar Association
  - Houston Young Lawyers Association
  - American Bar Association
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