

## David C. Mattka



Shareholder [Austin](#)  
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### Education

J.D. from Southern Methodist University, Dedman School of Law

- National Order of the Barristers
- Hatton W. Sumners Scholar

B.B.A. from Southern Methodist University

### Bar Admissions

Supreme Court of Texas

Texas

United States Court of Appeals for the Fifth Circuit

United States District Court for the Eastern, Northern, Southern and Western Districts of Texas

### Related Practices

Litigation

Appellate

Arbitration

Director & Officer Litigation

Financial Institution Litigation

Lawyer & Law Firm Litigation

### Related Industries

## Overview

David has more than 37 years of experience as a trial lawyer handling complex business disputes. David has served in a number of leadership positions for the Firm, including Managing Shareholder of the Austin office, as a member of the Management Committee, as Section Head of the Business Litigation Group and as a member of our Attorney Compensation Committee.

David's practice focuses on securities litigation, business tort, contract, director and officer liability, professional malpractice and shareholder derivative actions. David's cases typically involve investment and business transactions, including mergers and acquisitions, securitizations, collateralized loan obligations, private equity and hedge funds, partnerships, limited liability companies and joint ventures. David also represents corporate boards, directors and officers, audit committees, special litigation committees and other board committees in internal investigations addressing liability, disclosure, remediation and compliance issues in connection with actual or potential litigation claims.

David has served as lead counsel in more than 30 trials in federal and state courts and arbitrations throughout Texas and across the United States involving complex business disputes in various substantive areas, including corporate and securities, real estate, intellectual property, copyright and trade secrets, franchising, business torts, partnership disputes, antitrust, bankruptcy and banking.

Financial Services  
Real Estate  
Technology & Telecommunications

## Achievements

Austin Bar Foundation – Founding Life Fellow  
*Austin Business Journal* – Best Business Attorneys & Corporate Counsel (2005)  
*Thomson Reuters* – Texas Super Lawyers (2003-2011, 2017-2018); Texas Super Lawyers, Business Edition and Corporate Counsel Edition (2008-2010)

## Memberships

Austin Bar Association, Civil Litigation Section  
State Bar of Texas, Business Litigation and Litigation Sections  
Texas Bar Foundation (Life Fellow)

## Experience

### Securities Litigation

Represented the indenture trustee and special servicer in prosecuting claims for breaches of representations and warranties against the originator and issuer of a \$1.7 B portfolio of commercial mortgage-backed securities.

### Fiduciary Litigation

Represented a Cayman Island investment fund as subordinated noteholder in fiduciary breach claims against the collateral manager concerning the liquidation of a \$420 MM collateralized loan portfolio.

### Securities Litigation

Represented an investment fund and affiliated entities in cases filed by investors claiming fraud, fiduciary breaches and conspiracy regarding tax 'advantaged' investments.

### Trustee Representation

Represented a post-bankruptcy liquidating trustees in litigation and arbitration against Big Four accounting firms for contract breaches, malpractice negligence and fiduciary breaches in connection with the failures of several public companies.

## Insolvency Litigation

Represented a debtor oil and gas company in a series of bankruptcy adversary proceedings filed by investors holding in excess of \$500 MM in overriding royalty and net profits interests in off-shore leases.

## Securities Litigation

Represented a shareholder derivative plaintiff in claims against a public company for unreported related party and insider transactions.

## Securities Litigation

Represented a special litigation committee for a public company in connection with the investigation of an \$80 MM embezzlement by the CFO.

## Securities Litigation

Represented a putative class action on behalf of investors against foreign financial advisors and brokers in connection with a \$40 MM Ponzi scheme.

## Newsroom

**Press Release:** Seventeen Munsch Hardt Attorneys Included on 2018 Texas Super Lawyers List

**Press Release:** Seventeen Munsch Hardt Attorneys Recognized as 2017 Texas Super Lawyers

**In The News:** Munsch Hardt's Revenue and Profit Rose in 'Fantastic' Year

**Press Release:** Munsch Hardt Recognized as Champion of Justice

**In The News:** Lawyers Duct Tape Managing Partners to the Wall-for Charity

**Speech:** Key Dispute Resolution Clauses in Technology-Related Contracts

**In The News:** Munsch Hardt names new head of Austin law office; eyes major growth

**Press Release:** Munsch Hardt Expects Aggressive Austin Growth in 2015

**In The News:** Chamberlain Hrdlicka Accused of Exploiting Client Info

**Press Release:** Nine Munsch Hardt Attorneys Designated Super Lawyers

**Press Release:** Munsch Hardt Attorneys Named Business Litigation Super Lawyers 2010

**Press Release:** Munsch Hardt Attorneys Recognized as Texas Super Lawyers 2009

**Press Release:** Munsch Hardt Shareholders Named Among Super Lawyers

**Press Release:** Munsch Hardt Shareholders Named Texas Business Litigation Super Lawyers

**Press Release:** Nine Munsch Hardt Shareholders Named Texas Super Lawyers

**Press Release:** Munsch Hardt Shareholders Named Texas Business Litigation Super Lawyers