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Asked & Answered with V&E's Quentin Smith: Morehouse, Michigan and MDL — the Making of a Texas Litigator

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Asked & Answered is a new standing feature The Texas Lawbook will bring readers every other week, highlighting the work of leading Texas lawyers and offering insight into their lives outside the courtroom. In this edition, I sit down with Vinson & Elkins partner Quentin Smith, who discussed securing an \$80 million breach of contract verdict for Huntsman Chemicals in Louisiana and representing Oncor Electric in litigation stemming from Winter Storm Uri.

Before he even went to law school, *Quentin Smith* began his career with Vinson & Elkins 21 years ago as an intern in the firm's high school program.

The native Houstonian left the Lone Star State for Morehouse College, where he earned a bachelor's degree in political science before going on to get his law degree from the University of Michigan Law School. While he excelled in school and loved rooting for the Wolverines, he said getting used to the cold weather was a tough adjustment.

"That's the southerner in me," Smith said.

Smith recently sat down with *The Texas Lawbook* to discuss his career and more.

The following conversation has been edited for length and clarity.

Texas Lawbook: You have been one of the lead lawyers representing Oncor and the electric power distributors in the Winter Storm Uri litigation. Do you believe that any of the Winter Storm Uri wrongful death or personal injury cases



Quentin Smith, Vinson & Elkins partner, recently discussed his work on high-stakes litigation and career journey with *The Texas Lawbook*.

brought by individuals against the energy companies will go to trial or should go to trial?

Quentin Smith: I can't speak for everybody, but they should not get to go to trial against Oncor, [and] at least not the [transmission & distribution utilities]. It's just because of where they sit. Essentially, they were the entities that helped save the grid and prevent it from going black for two to three months. I don't think people quite understand that. The public utilities in Texas don't actually sell power. They actually don't generate it either. They have to use what they're given. They're also the only entities that are fully regulated. They're told by [the Electric Reliability Council of Texas], "Hey, you have to cut power." And then that's what they did to prevent the grid from

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collapsing. I think there are a couple of defenses and a couple of arguments that we have and have made and will continue to make, that will prevent this from going to trial, at least against the TDUs.

Lawbook: What has been a memorable experience or case in your career?

Smith: The smaller one was actually a pro bono case for a nonprofit called Kids' Meals. I was a very junior associate, and it was me defending them in a defamation lawsuit. And there was this plaintiff's attorney who had boxing gloves on their website, a very aggressive-sounding plaintiff attorney, and I got to take my first deposition as a baby lawyer. After I asked the plaintiff their name, they started crying. Before even any other question. It wasn't a very touchy-feely lawsuit, either. It was a defamation lawsuit for using her picture in a magazine, I think, without her permission, allegedly. But after she started crying — long story short — [I] did a little bit of discovery, and then I won summary judgment on it and got the nonprofit Kids' Meals to go free. That was a great experience for me very early in my career.

We have represented Huntsman Chemicals for almost a decade in Louisiana, and we went to trial two years ago and got a sizable plaintiff verdict for Huntsman. I was brought on to the case probably four years after it started. It was just a long slog of a case that had gone up to the Louisiana Supreme Court and back and then up to the Louisiana Supreme Court again, and then we finally got the trial. It also got postponed by COVID, but it was just a very long case to get to the trial. It was a three-and-a-half-week trial, got a very good jury verdict and it was just fun, bonding with the team in New Orleans, staying at the Windsor Court [hotel] and just kind of trying to effectively live there for almost a month while also dealing with the complex issues of the case.

Lawbook: What is the best advice you have received?

Smith: “No one's going to care about your career more than you.” I think taking that advice to heart, to be responsible for a career [has] helped me a lot with being a mentee and a mentor. The mentor-mentee relationship [means] reaching out to people, asking for help, or just asking for advice, asking for lunch, and people are very responsive. But you do have to take that initiative to actually ask — ask them for help or ask them to meet. I've done that. I've gotten good advice over the years, gotten a lot of help, and I think that that advice has always stuck with me.

Lawbook: Do you have a pre-trial ritual?

Smith: One of my rituals is to purchase jelly beans for the trial team — and they're the Starburst jelly beans, not to be confused with any other jelly beans. I found that those are not only good luck but also a hit in the war room, and so I usually bring like giant bags of Starburst jelly beans. They disappear instantly, just because ... the sugar helps people, helps people go, helps people feel good. It just got to be good luck over time.

Lawbook: Why did you choose to follow a career in law?

Smith: I've been wanting to be a lawyer for a very long time, almost as long as I can remember. I think one of the things I liked about it was the kind of optionality of different career paths. I think when you're younger, people say, “Oh, if you're a lawyer, you can do anything.” It's not quite true, but it seems like it's true when you're younger, because there are a lot of ex-lawyers doing lots of different things. I'm a liberal arts student. I like trying out new things, learning about different industries, and so that I get to do that all the time. I get to learn about a lot of different things. Every day, [I] talk to the people who are experts in their industries and learn about things that I never thought I would dream of learning about. I've learned about the avocado industry, parabolic flights [and] now, [the] trans-

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mission distribution grid. So it's just been fun to learn about different things. And then you also get to help people. I think that's the biggest thing that lawyers do: they provide help to people. They solve problems. I know it doesn't always seem like they're providing the solution to a problem, but typically, there is a problem that needs to be solved, and lawyers are a part of the solution for that. All those things together have made me want to become a lawyer, and it has so far been a very good career choice for me.

Lawbook: What are your two or three biggest cases coming up for trial in the next few months?

Smith: No other trial settings are coming up. The Winter Storm Uri [multidistrict litigation] is getting back started. We just had a status conference last week, so that will be pretty active, since the [Texas] Supreme Court's opinion came down in June. Also, we're involved with the Hurricane Beryl MDL as well, which that MDL judge got appointed a couple of weeks ago, and so that's going to get started. I think we have a status conference next week on that. So those are some matters that will soon be active, even though they're not going straight to trial.

Lawbook: What is a hobby of yours when you get a chance to step away from your desk or the courtroom?

Smith: I love reading fantasy books. I'm an avid fantasy fan. We actually have a fantasy book listserv at the firm that we trade different book recommendations, and so I enjoy that. I also really enjoy live music, so I'm an avid concertgoer. I try to see as many shows as I possibly can. Outside of that's just hanging out with family, hanging out with the kids.