Odean L. Volker

Partner

odean.volker@haynesboone.com
Houston | London
+1 713.547.2036

PRACTICES International, Asia, Litigation, Securities and Shareholder Litigation, Foreign Corrupt Practices Act (FCPA), Internal Investigations, Fiduciary Disputes, Oilfield Services, Midstream, International Arbitration, Class Action Defense, CBD and Hemp

---

Odean Volker has spent his career offering clients a practical approach to dispute resolution, and, when needed, trying their cases to a judge, jury or arbitrator as the case may be. Odean has served the firm as a co-chair of the Litigation Practice Group and currently leads the International Arbitration Practice Group. Odean's practice includes domestic and international commercial arbitration, securities and complex litigation, and extensive experience in conducting internal investigations and addressing governance issues for public and private companies.

Odean is a fellow of the Chartered Institute of Arbitrators, and is AV Peer Review Rated Preeminent by *Martindale-Hubbell Law Directory.* He was recognized by *The Best Lawyers in America,* Woodward/White, Inc., in Arbitration, 2015-2024, and was selected for inclusion in *Texas Super Lawyers,* Thomson Reuters, 2012-2017.

Odean has represented clients in domestic and international commercial arbitration matters. He has advised clients with regard to disputes administered by the American Arbitration Association (AAA), International Centre for Dispute Resolution (ICDR), International Chamber of Commerce (ICC) and China International Economic Trade and Arbitration Association (CIETAC). Odean's arbitration experience includes:

- Representation of an oilfield equipment manufacturer involving claims that the manufacturer had breached alleged agency agreements with U.S. and Middle Eastern companies.
- Defense of an oilfield service company against claims brought by a business associate related to business in Central Asia.
- Defense of oilfield service company against claims brought by a Chinese business partner.
- Prosecution of claim by after aftermarket auto-part company against an Asian manufacturer.
- Representation of a broker/dealer in arbitration arising out of an alleged investment scam perpetrated by unrelated parties.
- Advise exploration and production company with regard in dispute with West African government.
- Advise payment systems provider on management of its disputes in China.
- Defense of aviation industry service provider against claims related to fuel purchases.
- Representation of seller in arbitration arising from the sale of business assets.
- Representation of an international corporation in the enforcement of an arbitral award under the Inter-American Convention on International Commercial Arbitration (the “Panama Convention”).

© 2024 Haynes and Boone, LLP

- Representation of multi-national oil field services company resisting vacatur of an arbitral award.
- Representation of Central American company in enforcement of arbitral award under the Panama Convention.
- Advise Latin American vessel operator on strategies for vacating arbitral award.

Odean has represented issuers, underwriters and secondary actors in securities class action disputes, and has advised companies and directors in derivative litigation. Odean's securities and derivative litigation experience includes the following representations:

- Defense of the independent directors of a public company in a Caremark claim arising from resolution of FCPA allegations.
- Defense of directors of a public company in a Caremark claim arising from oilfield and safety compliance issues.
- Defense of an international investment bank in multidistrict litigation arising out of the collapse of Enron Corp. and involving single plaintiff and securities class action suits.
- Representation of hospitality company against shareholder derivative claims arising out of a proposed going private transaction.
- Defense of independent oil and gas company in shareholder derivative action arising out of a proposed merger.
- Defense of chemical manufacturer in shareholder derivative litigation arising out a proposed merger.
- Defense of private equity firm in multiple derivative actions arising out of a proposed purchase of a logistics provider.
- Prosecution of claim by debtor against the indenture trustee and certain beneficial holders of publicly traded debt.
- Defense of insurance holding company in derivative litigation arising out of alleged improper pricing of stock options.
- Defense of hospitality company in derivative litigation arising out of alleged improper pricing of stock options.
- Defense of financial institution from claims that it wrongfully purchased and retained certain securitized mortgages.
- Defense of an international oil and gas company in a class action alleging securities fraud claims arising out of an auction of the company's properties.
- Defense of an underwriter in a securities fraud class actions alleging claims in connection with disclosures regarding the issuer’s marketing practices and background of one of its distributors.
- Representation of Special Litigation Committee of medical device manufacturer in review of shareholder derivative claims.
- Representation of Special Litigation Committee of a chemical manufacturer in review of shareholder derivative claims.

Odean has represented public and private companies, individuals, and governmental organizations in internal investigations or reviews of various issues. Odean’s experience includes:

- Internal investigation of a Texas independent school district.
- Representation of the Chief Financial Officer of an oil field service company in Foreign Corrupt Practices Act ("FCPA") investigation.
- Representation of a financial officer of an oil field service company in FCPA and accounting investigation.
- Representation of a West African exploration and production company with regard corruption and governance investigation.
- Internal investigation of public oilfield equipment manufacturer arising out of alleged violations of export control regulations and the FCPA.

© 2024 Haynes and Boone, LLP

- Representation of business consultant with regard to alleged violation of Indian corruption and bribery laws.
- Internal investigation of petrochemical company arising out of alleged employee misconduct.
- Internal investigation of international oilfield services and construction company arising out of concerns about management and cash flow issues.
- Counsel offshore drilling company with regard to FCPA and compliance investigation.
- Internal investigation of chemical company arising out of alleged misuse of company information.

Odean's commercial litigation engagements include:

- Representation of veterinary clinic in dispute with contractor regarding building repairs following flood damage.
- Prosecution of post-acquisition indemnity claims on behalf of a construction company against sellers.
- Representation of commercial tenant in dispute with its landlord over responsibility for repair of flood damage.
- Defense of national bank against claims arising out of its role as indenture trustee.
- Defense of oilfield equipment manufacturer in an action alleging, among other causes, breach of contract, theft of trade secrets and anti-trust violations arising out of the acquisition of certain technology by the equipment manufacturer.
- Defense of broker/dealer from claims of improper receipt of funds.
- Prosecution of law firm's claim for fees and defense of professional negligence claim.
- Prosecution of financial institutions claim for recovery of certain proceeds from the demutualization of an insurance company.
- Defense of general contractor against claims by a subcontractor for payment and prosecution of claim for breach of contract by the subcontractor.
- Prosecution of claim by spa equipment manufacturer against one of its founders and others, and representation of company in resulting “business divorce.”
- Represented founder of limited liability company in “business divorce” and resulting re-acquisition of the company.

QUALIFICATIONS

EDUCATION

- J.D., University of Houston Law Center, 1990
- B.B.A., The University of Texas at Austin, 1986
- B.A., The University of Texas at Austin, 1987

ADMISSIONS

- Solicitor, England and Wales
- New York
- Texas

COURT ADMISSIONS

- United States Supreme Court
- U.S. Court of Appeals for the Fifth Circuit
- U.S. District Court for the Eastern District of Michigan
- U.S. District Court for the Eastern District of Texas
- U.S. District Court for the Northern District of Texas
- U.S. District Court for the Southern District of Texas

© 2024 Haynes and Boone, LLP

- U.S. District Court for the Western District of Texas

PROFESSIONAL AFFILIATIONS AND ENGAGEMENTS

- American Bar Association
- Houston Bar Association
- State Bar of Texas
- Houston International Arbitration Club
- Fellow, Chartered Institute of Arbitrators
- Life Fellow, Texas Bar Foundation

AWARDS AND RECOGNITIONS

- AV Peer Review Rated Preeminent by *Martindale-Hubbell Law Directory*
- Recognized by *The Best Lawyers in America,* Woodward/White, Inc., in Arbitration, 2015-2024
- Selected for inclusion in *Texas Super Lawyers,* Thomson Reuters, 2012-2017

© 2024 Haynes and Boone, LLP