

TEXAS LAWYER

LEGAL LEADERS

ON THE RISE



Seth Kretzer

Solo

Houston

Age: 34

Seth Kretzer's law office is filled with artwork depicting what he describes as "American triumphs." Behind his desk hangs a LeRoy Nieman painting of an American soldier with a single-shot rifle.

"I'm fighting for the Constitution and my clients, and all we often have is a single-shot rifle," Kretzer says.

In arguments before the 5th U.S. Circuit Court of Appeals, he has only 20 minutes to sway the court in a client's favor, he says. But, often, that's enough. Kretzer says he has won reversals from the 5th Circuit in five of his cases in the past three years.

His first 5th Circuit oral argument came in a death penalty case, to which the court assigned him the day he opened his law office in 2009, Kretzer says. In 2010, the 5th Circuit reversed 19 life sentences assessed in *United States v. Tyrone Mapletoft Williams*, a case involving a human-smuggling conspiracy that resulted in the deaths of 19 people in 2003. His client, Williams, was the driver of the tractor-trailer used to transport the illegal immigrants.

Yetter Coleman partner Marc Tabolsky of Houston, co-counsel for the appeal in *Williams*, says Kretzer developed the arguments and strategy, handled the briefing and argued the case before the 5th Circuit.

"He immersed himself in the case, and he was ready for anything," Tabolsky says.

Kretzer says he argued that there was insufficient evidence to prove Williams intentionally engaged in an "act of violence" that resulted in the deaths and that the trial court erred in its instruction to the jury on that issue. The 5th Circuit agreed, finding that, because the evidence was insufficient, the district court should not

have submitted the "threshold intent question" to the jury and should have done the sentencing. On remand, the district court sentenced Williams to 34 years, of which he already has served 10, Kretzer says.

Although Kretzer has made a name for himself in criminal law, he did not always intend to be a defense attorney. Kretzer, who received a bachelor's degree in business administration from the University of Texas, says he had a summer internship in 1999 at Enron Corp. The company made him a job offer, but he opted to go to UT School of Law instead, receiving his J.D. in 2003.

"I thought I'd be better at writing legal briefs than messing with spreadsheets," Kretzer says.

Kretzer says he was a judicial clerk in 2003-2004 for then-U.S. District Judge David Folsom of the Eastern District of Texas and in 2005-2006 for 5th Circuit Judge Thomas Reavley before joining Fulbright & Jaworski in Houston in 2006. He says he went to work at Caddell & Chapman in late 2007, remaining there until he opened his firm in 2009. Since then, he has served as lead counsel on more than 50 direct appeals in the 5th Circuit, Kretzer says.

In 2011, Kretzer won a reversal in *United States v. Tyrone Jordan*, a money-laundering case in which his client was convicted of helping to facilitate the purchase of a plane for a drug cartel. In calculating the sentence, the district court erroneously included \$304,000 in drug money transported in the plane as laundered funds, Kretzer says.

"A simple legal mistake doubled his sentence," he says. ■



MARK GRAYMAN

Robert Little

Partner, Gibson, Dunn & Crutcher

Dallas

Age: 39

Robert "Rob" Little's interest in becoming a lawyer started at a young age. Little says he was in about the first grade when he grew interested in the U.S. presidents and noticed that a number of them were lawyers. Since he wanted to be president, Little decided he would have to become a lawyer.

"I think I probably had stars in my eyes," he says.

As he got older, Little's desire to become president lessened, but he says he realized being a lawyer would suit his strengths: writing, analyzing and critical thinking.

Stints as a summer associate at Vinson & Elkins, Baker Botts, and a firm then called Wilmer Cutler & Pickering led Little into the world of corporate transactions. He says he likes counseling clients and helping them to structure their transactions to maximize their goals.

After graduating with highest honors from the University of Texas School of Law in 1998, Little served as a law clerk for then-5th U.S. Circuit Court of Appeals Judge Patrick Higginbotham, now a senior judge, before joining V&E in Dallas. He was one of several partners who left V&E in 2011 to join Gibson Dunn & Crutcher.

Little's practice focuses on mergers and acquisitions, capital markets and corporate transactions.

Since 2009, Little has served as lead outside counsel for all of the debt restructuring activities of Energy Future Holdings (EFH) Corp.,

formerly TXU Corp. Little says the company is highly leveraged and sought to reduce its debt load because natural gas prices have declined substantially since the debt was incurred.

He says the work has included debt exchange transactions totaling more than \$10 billion and the amendment and extension of about \$17 billion in senior secured debt that closed in April 2011. The amend-and-extend transaction was about \$12 billion larger than any transaction of its kind, he says.

Little says that for the EFH transactions he has worked with a team that includes five or six associates as well as tax, restructuring and other experts.

"I have to quarterback the transactions," he says. "To quarterback, I have to see the big picture but also have to know the details."

Andrew Wright, EFH's vice president and deputy general counsel, says Little is "kind of our go-to financing lawyer — bond financing lawyer in particular."

Wright says EFH has had a liability management program since 2009 and Little is one of its lead lawyers. He says Little also does all of EFH's corporate securities work, handles some of the company's mergers and acquisitions, and advises the company on general corporate matters and corporate governance.

"He's very good . . . very responsive," Wright says of Little. "He's a good friend, but I wouldn't hire Rob if he didn't do a good job for us." ■



THOMAS PHILLIPS