



Shannon

Shannon Skelton Holtzman

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Overview

Shannon Holtzman is a trial and appellate lawyer with 25-plus years of experience helping clients resolve difficult issues and disputes, such as:

- Prosecution and defense of disputes involving construction contracts, master service agreements, asset purchase agreements and other complex contract and lease disputes
- Class action defense
- Unfair trade practices
- Fraud, quasi contract, and business tort claims

She also regularly advises facility owners regarding compliance with the Louisiana Private Works Act, construction-related risk management, and dispute avoidance issues.

“One of my strengths is working with clients in the earliest stages of a dispute and in motion practice,” Shannon said. “My goal is always to understand and achieve the client’s objectives, resolve issues in the client’s favor as soon as possible, and conserve legal fees, costs, and inconvenience. Shannon is often able to resolve disputes in the earliest stages, minimizing litigation costs and fees, inconvenience, and the risks of a trial. Shannon also has experience getting cases moved to and kept in federal court, typically a big plus for business clients.

Experience

Dismissals Via Motion Practice

- Rule 12(b)(6) dismissal of action involving the intersection of bankruptcy law and the La. Oil Well Lien Act. *Bordelon Marine, LLC v. Devon Energy Co., et al.*, No. 14-1784, 2015 U.S. Dist. LEXIS 42814 (E.D. La. April 1, 2015).
- Pre-trial dismissal of all trespass and property damage tort claims against a major oil company on Exception of Prescription. *Constantin Land Trust v. BP America Prod. Co.*, No. 119084 (17th Judicial District Court for the Parish of Lafourche, Dec. 17, 2014).

Practice Areas

Business Litigation
Appellate
Construction

Bar Admissions

Louisiana, 1990
Ohio, 1988-1989
All State and Federal Courts in Louisiana, 1990
U.S. Fifth Circuit of Louisiana, 1990
U.S. Supreme Court, 2004

Education

Tulane University Law School, J.D.,
magna cum laude, 1988

- Order of the Coif
- *Tulane Law Review*, Senior Editor, 1987 - 1988

Vanderbilt University, B.A., *cum laude*, 1985

- Dismissal of all claims against a major oil company at the pleadings stage. *Insulation Technologies, Inc. v. Industrial Labor & Equipment Servs., Inc., et al.*, 122 So. 3d 1146 (La. App. 4th Cir. 2013).
- Dismissal of all claims against a major oil company at the pleadings stage. *Canon v. Towns, et al.*, No. 2011-3610 (14th Judicial District Court for the Parish of Calcasieu Jan. 4, 2012).
- Dismissal on the pleadings in favor of a national law firm. *Brookewood Invs. Co. v. Sixty- Three Twenty-Four Chef Menteur Hwy., L.L.C.*, 958 So. 2d 1200 (La. App. 4th Cir. 2007), writ denied, 2007 La. LEXIS 2347 (La. 2007).
- Summary judgment on behalf of facility owner, dismissing all claims by a construction contractor who sought damages for alleged undue delay, fraud and extra costs. *Pellerin Constr., Inc. v. Witco Corp.*, 169 F. Supp. 2d 568 (E.D. La. 2001), aff'd, No. 01-30536, 2002 U.S. App. LEXIS 11536 (5th Cir. May 21, 2002).

Innovative Removal Theories and Oppositions to Motions to Remand

- Removed and defeated remand of cases removed on fraudulent joinder grounds in *Blanchard v. BP*, No. 11-1542, 2011 U.S. Dist. LEXIS 115707 (E.D. La. Oct. 6, 2011); *Mones v. BP*, No. 11-996, 2011 U.S. Dist. LEXIS 84770 (E.D. La. Aug. 1, 2011); and *Serigne v. Loupe Constr. & Consulting Co.*, No. 10-3891, 2011 U.S. Dist. LEXIS 7604 (E.D. La. Jan. 20, 2011).
- Removed case and defeated remand in a contract dispute in which the client had contractually consented to state court jurisdiction. After a federal court trial, judgment was rendered in client's favor on all issues, including an award of monetary damages in excess of \$2 million on client's counterclaim. The case, including the removal issues, was affirmed in full on appeal. Shannon also successfully opposed a petition for certiorari review to the United States Supreme Court, in which her opponent challenged the propriety of the removal given client's contractual consent to state court jurisdiction. *City of New Orleans v. Municipal Admin. Servs., Inc.*, No. 02-130 (E.D. LA July 15, 2003), aff'd, 376 F.3d 501 (5th Cir. 2004), cert. denied, 125 S. Ct. 1396 (2005).

Appellate

- Successfully defended the appeal of a favorable class certification ruling in which the class claims against Liskow's clients were significantly limited and the size of the class was reduced by more than two thirds. *Fransen v. City of New Orleans, et al.*, 2018 WL 1516989 (La. App. 4th Cir. 3/28/18).
- Retained on appeal and obtained full reversal of summary judgment against client in case involving enforcement of contractual restrictions on use of client's unpatented products. *Luv n' care, Ltd. v Grupo Rimar, a.k.a. Suavinex*, 844 F.3d 442 (5th Cir. 2016).
- Summary judgment in favor of client/indemnitor affirmed on appeal on novel issue involving effect of indemnitee's bankruptcy on indemnity obligations. *Duval v. Northern Assurance Co. of America, et al.*, 722 F.3d 300, 2013 U.S. App. LEXIS 13680 (5th Cir. 2013).
- Dismissal on the pleadings, without leave to appeal, affirmed in full on appeal. *Insulation Technologies, Inc. v. Industrial Labor & Equipment Servs., Inc., et al.*, 122 So. 3d 1146 (La. App. 4th Cir. 2013).
- Dismissal on the pleadings affirmed in full on appeal. *Brookewood Invs. Co. v. Sixty- Three Twenty-Four Chef Menteur Hwy., L.L.C.*, 958 So. 2d 1200 (La. App. 4th Cir. 2003), writ denied, 2007 La. LEXIS 2347 (La. 2007).
- Retained on appeal and obtained full reversal of federal false statement conviction. *U.S. v. Individual*, 467 F.3d 496 (5th Cir. 2006).
- Summary judgment dismissal of all claims by construction contractor against client affirmed in full on appeal. *Pellerin Constr., Inc. v. Witco Corp.*, 169 F. Supp. 2d 568 (E.D. La. 2001), aff'd, No. 01-30536, 2002 U.S. App. LEXIS 11536 (5th Cir. May 21, 2002).
- Retained on appeal and obtained full reversal on appeal after a jury verdict against clients in a complex contract dispute. *C.C. Clark, Inc. v. DCV, Inc.*, 250 F.3d 738, 2001 WL 274113 (5th Cir. 2001) (not designated for publication).

Involvement

Professional

- Chair, New Orleans Bar Association Business Litigation Committee 2018 - present
- Former Member, Liskow & Lewis Board of Directors
- Fellow, Louisiana Bar Foundation
- Member, Defense Research Institute (DRI)
- Member, Louisiana Association of Defense Counsel
- Member, Women's Energy Network
- Member, New Orleans, Louisiana State, and American Bar Associations
- Associate, Jones Day, 1988–1989

Community

- Member, Advisory Board of Directors of The New Orleans Shakespeare Festival at Tulane, 2018 - present
- Elder, St. Charles Ave. Presbyterian Church, 2006-2008, 2018 - present
- Board Member, Sophie B. Wright Charter School, 2015 - April 2019
- Media Spokesperson, Moms Demand Action for Gun Sense In America

Recognition

- *New Orleans CityBusiness*' Leadership in Law, Class of 2018
- *The Best Lawyers in America*, 2013–2020
- *Louisiana Super Lawyers*, 2016-2019
- *New Orleans Magazine*'s List of "Top Lawyers," 2015- 2018

Presentations

- Co-chair and Moderator, "The Art of Advocacy" with Judges Barbier, Milazzo, Chase, and Julien, New Orleans Bar Association Bench-Bar Seminar, March 2019
- Moderator, "A Conversation with Current and Former In-House Counsel: What Works, What Irks," New Orleans Bar Association Business Litigation Committee, April 2018
- Panelist, "The Art of Persuasion on Appeal" with US Fifth Circuit Judge Stephen Higginson, Louisiana State Bar Association, April 2018
- Panelist/Moderator, "Effective Case Presentation in the Complex Judge Trial: Views From the Bench and Bar," Louisiana State Bar Association, April 2017
- "Ethics in Class Actions," Louisiana State Bar Association Ethics and Professionalism Program, December 2010
- Panelist, "The A to Z of Witness Preparation," Louisiana State Bar Association, October 2009
- "Construction Claims in Louisiana" panelist (with Harold Flanagan, Frank Adams, and Dan Armstrong) Lorman Education Services, 2001

Publications

- "Liskow & Lewis Secures Key Rulings in Class Action Litigation," Liskow & Lewis' The Energy Law Blog, August 8, 2019

- "Thinking About Improving Your Louisiana Facility? Follow These Steps or Risk Unlimited Lien Liability Under Louisiana's Private Works Act," Liskow & Lewis' The Energy Law Blog, May 1, 2017
- "Fifth Circuit Holds that Unpatented Products Can Be Given Patent-Like Protection by Contract," Liskow & Lewis' The Energy Law Blog, April 10, 2017
- A Conversation with Tara Kelly of BP on How In-House Counsel Can Advance Gender Diversity in the Male-Dominated Field of Energy Law
- "Louisiana First Circuit Finds Appellate Jurisdiction Lacking, Declines to Address Merits of Appeal Involving Claims Related to Deepwater Horizon Response Operations," Liskow & Lewis' The Energy Law Blog, June 6, 2016
- "Legislation Proposed to Reform Professional-Malpractice Claims," American Bar Association Section of Professional Liability Litigation News, February 27, 2014
- "Professional Malpractice Peremption: Clarified Through Adversity," 59 La. B. J. 176 (Oct./Nov. 2011)
- Liskow & Lewis Wins Reversal of False Statement Conviction
- "When the Carrier and Insured Part Ways: The Insured's Right to Independent Counsel" (with James A. Brown), 52 La. B.J. (June/July 2005)
- "Tortious Interference and Unfair Trade Claims: Louisiana's Elusive Remedies for Business Interference," (with George Denegre, Jr. and John A. Lovett), 45 Loy. L. Rev. 395 (1999)

After Hours

"My oldest daughter graduated from W&L and my youngest daughter is a student there and I'm still soliciting advice on the best way to get from New Orleans to Lexington, Virginia because I haven't found it yet."

News/Insights

NEWS

8.15.19

Fifty-Seven Attorneys Recognized in The Best Lawyers in America, BL Rankings, LLC, 2020 Edition

NEWS

8.8.19

Liskow & Lewis Secures Key Rulings in Class Action Litigation

NEWS

12.27.18

Thirty-Nine Liskow Lawyers Selected to 2019 *Louisiana Super Lawyers*, Thomson Reuters

NEWS

11.9.18

Thirty-Eight New Orleans Liskow Lawyers Named "Top Lawyer" by New Orleans Magazine

NEWS

8.15.18

Eight Liskow Attorneys named *Best Lawyers* "Lawyer of the Year" and Fifty-Two Attorneys Recognized in *The Best Lawyers in America*, BL Rankings, LLC, 2019

NEWS

2.19.18

Liskow Shareholders Named to CityBusiness' Leadership in Law 2018

NEWS

12.27.17

Forty-Four Liskow Lawyers Selected to 2018 *Louisiana Super Lawyers*, Thomson Reuters

NEWS

11.3.17

Forty Liskow Lawyers Named "Top Lawyer" by *New Orleans Magazine*

NEWS

8.16.17

Seven Liskow Attorneys Named *Best Lawyers* "Lawyer of the Year" and Forty-Nine Attorneys Recognized in *The Best Lawyers in America*, Woodward White, Inc. 2018

NEWS

12.29.16

Forty-One Liskow Lawyers Selected to *Louisiana Super Lawyers*, Thomson Reuters 2017

NEWS

11.10.16

Forty-Four Liskow Lawyers Named "Top Lawyer" by *New Orleans Magazine*

NEWS

8.15.16

Eight Liskow Attorneys named *Best Lawyers* "Lawyer of the Year" and Fifty-One Attorneys Recognized in *The Best Lawyers in America*, Woodward White, Inc.

INSIGHTS

6.6.16

Louisiana First Circuit Finds Appellate Jurisdiction Lacking, Declines to Address Merits of Appeal Involving Claims Related to Deepwater Horizon Response Operations

INSIGHTS

6.1.16

A Conversation with Tara Kelly of BP

NEWS

8.28.15

Forty Liskow Attorneys Named "Top Lawyer" by *New Orleans Magazine*

NEWS

8.17.15

Fifty Attorneys Recognized in *The Best Lawyers in America*, Woodward White, Inc.