



Tarek F.M. Saad

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Practice Focus

- Litigation
- International Dispute Resolution
- Commercial Litigation

Education

- University of Texas School of Law, J.D., 1992
- University of Michigan, B.A., 1989

Admissions

- Colorado

Courts

- U.S. Court of Appeals for the 10th Circuit
- U.S. Court of Appeals for the 4th Circuit
- U.S. Court of Appeals for the 5th Circuit
- U.S. Court of Appeals for the Federal Circuits
- U.S. District Court for the District of Colorado
- U.S. District Court for the Eastern District of Texas
- U.S. District Court for the Northern District of Texas
- U.S. Supreme Court

Tarek Saad provides clients value in assessing, managing and resolving complex, high-value commercial disputes, primarily involving international participants and issues. Tarek also serves as an appointed arbitrator.

Tarek has substantial experience using a wide variety of conflict resolution methods across a broad range of industries, acting for clients in early-stage negotiations and resolutions, proceedings involving emergency injunctive relief, mediations, arbitrations (ICC and otherwise), motions hearings, agency and administrative proceedings, trials with arbitral tribunals and in US state and federal courts before judges and juries, and on appeals, including oral arguments.

In addition to his primary focus on resolving his clients' international disputes, Tarek frequently counsels clients in a variety of commercial contexts, including business torts and transactions, contract disputes, intellectual property, trade secrets, non-solicits/non-competes, employment law, consumer protection statutes, and securities laws.

REPRESENTATIVE EXPERIENCE

- Winning summary judgment on construction claims in US federal court related to Al-Udeid US Air Base in Qatar.
- Obtaining relief in ICC emergency arbitration for subcontractor on its advance payment guarantee and performance bond for a construction project at a large hotel in Msheireb, Doha, Qatar.
- Representing a Qatari company in prosecuting and defending claims in US federal court, Qatar court and ICC arbitration involving a construction project at Al-Udeid US Air Base in Qatar, including ICC evidentiary hearings.
- Obtaining summary dismissal in Qatar court of claims made by bank against large Qatari company.
- Representing a Portuguese company in prosecuting and defending claims in various Qatar courts and government agencies involving multiple construction projects in Qatar.
- Representing the State of Qatar in mediations and arbitrations arising from the construction of Hamad International Airport, a US\$15 billion project.
- Obtaining a worldwide freezing injunction, passport confiscation order, and permission to enforce an arbitration award on behalf of a Qatari food company.

- Representing a Qatari government agency in prosecuting and defending claims in Qatar court relating to telecommunications regulations.
- Defending a Qatari company against claims in Qatar court involving Metro Rail project.
- Performing intensive internal compliance review for one of the largest banks in the GCC.
- Winning a lengthy, hotly contested, complex securities fraud case for a Middle East investor after trial in the United States that resulted in a US\$1 million settlement from the aiders and abettors, and a judgment in excess of US\$23 million against the primary fraudster.
- Successfully defending a governmental authority against terrorism claims.
- Obtaining dismissal of a US federal securities fraud case against a Middle Eastern investor.
- Representing an international architecture firm in a multimillion dollar dispute arising from construction of a building in Doha.
- Winning an award in arbitration for a large, multi-national telecom company against a national accounting and tax advisory firm.
- Defeating a request for an immediate injunction alleging trade secrets misappropriation against a foreign software company as first chair in an evidentiary hearing.
- Successfully defending a large consumer debt company against emergency injunctive relief based on trade secrets claims as first chair in an evidentiary hearing.
- Defending employer and preferred investors against contract and wrongful discharge claims filed by founder and CEO as first chair in one-week jury trial and obtaining partial defense verdict.
- Defeating a garnishment claim against a national bank as first chair and defending the victory on appeal.
- Winning a large jury verdict, preliminary and permanent injunctive relief, and declaratory relief as first chair in a one-week jury trial in a non-compete case for an industry pioneer and successfully defending the judgment on appeal. Defending the same client in two subsequent lawsuits and obtaining summary judgment and sanctions, all upheld on appeal.
- Defending a textile services company as second-chair in a one-week jury trial involving employment discrimination and wage claims, and forcing very favorable settlement before closing arguments.
- Winning a permanent injunction and transfer of website domain names against a cybersquatter as first-chair in a bench trial.

- Receiving an extremely favorable settlement from an insurance company in receivership as first chair in administrative hearings.
- Defending a major real estate developer as first chair in a property dispute bench trial.
- Representing a major real estate developer as second chair in a three-week class action jury trial that resulted in a partial defense verdict.
- Winning a unanimous US\$2.2 million jury verdict for a limited partnership as second chair in a six-week jury trial and upholding the verdict on appeal.
- Obtaining a complete defense tax verdict for a major bank as first chair in a bench trial.
- Gaining a complete defense verdict for a small business as first chair in a bench trial.
- Forcing a walkaway settlement protecting tens of millions of dollars in gold and silver mine assets from foreclosure by multilayered groups of creditors that would have caused complete loss of investments.
- Winning summary judgment on behalf of a large international design and manufacturing company against compensation claims in Ohio.
- Obtaining nuisance value settlement for Colorado retailer against collective action asserting federal wage claims.
- Obtaining full value settlement for telecommunications broker for commissions.
- Obtaining dismissal of an Electronic Funds Transfer Act class action against a consumer financial services company.
- Obtaining favorable settlement in OSHA fatality case litigation against an international automated machines manufacturer.
- Winning summary judgment for international disc drive manufacturer against age discrimination claims.
- Defeating a request for temporary restraining order against a leading software company based on alleged software conflict and interference.
- Winning summary judgment on behalf of international disc drive manufacturer against an employee claiming illegal discrimination.
- Winning summary judgment on behalf of a major direct broadcast satellite provider in a multimillion dollar contract dispute with a programmer.
- Gaining dismissal of a wrongful death lawsuit filed in Mississippi against a large foreign luxury resort and successfully defending the dismissal against appeal to the US 5th Circuit Court of Appeals.
- Winning dismissal of the thrust of a securities fraud case filed by an institutional investor in Delaware Chancery Court by motions and oral argument.

- Forcing an extremely favorable settlement on behalf of a national bank against a title insurer on a construction loan before dispositive motion ruling.
- Securing a preliminary injunction in California for patent infringement on behalf of a major international company resulting in a quick, favorable settlement.
- Winning summary judgment for a national bank in a huge, multi-party Superfund case involving the Summitville Mine.
- Accomplishing dismissal of multiple personal injury lawsuits filed in Massachusetts against a large foreign luxury resort.

Pro Bono

- Tarek has substantial criminal trial experience, having handled more than 20 trials as a special prosecutor for the City and County of Denver on a *pro bono* basis. He has guest lectured the Trial Advocacy course at the University of Denver School of Law and has been the speaker at the legal education seminars E-Commerce: The Law of E-Business, Denver Municipal Court Trial Procedure and Trial Notebooks.

MEMBERSHIPS AND AFFILIATIONS

Professional

- Denver Bar Association
- Colorado Bar Association
- American Bar Association
- ABA Section of Litigation
- ABA Forum Committee on Entertainment and Sports Industries

Community Service

- Board of Directors, American School of Doha, December 2019 – Present.
- Tarek has been Chair of the Hate Crimes Education Task Force of the Colorado Lawyers Committee since 2002 (actively participating since 1996) and frequently develops and presents mock trials to junior high, high school, college and graduate students all over Colorado. For decades, the Colorado Lawyers Committee has been a nonpartisan, non-profit consortium of more than 60 Denver-area law firms, and in May 2006, the member law firms voted Tarek the 2005 Colorado Lawyers Committee “Individual of the Year.” He was nominated again for the award in 2013.
- Tarek mentored high school students from 2008 through 2013 for Colorado Youth at Risk, and in 2009 was named 2009 Mentor-Mentee Pair of the Year. He joined the Board of Directors in 2009 and served as Chairman of the Board from January 2012 until January 2014.

- Tarek has been independently peer-nominated and selected to the 2011, 2012 and 2013 Colorado Super Lawyers. He also writes fiction, and won the Denver Bar Association 2012 Arts and Literature Contest for his short story “Are You Going to Answer That?”

RECOGNITIONS

- Chair of Hate Crimes Education Task Force since 2002
- Colorado Lawyers Committee Individual of the Year (2005) and Finalist (2013)
- Chairman of the Board, Colorado Youth At Risk (2012-2014)
- Winner of Denver Bar Association 2012 Arts and Literature Contest, Best Fictional Story

SPEAKING ENGAGEMENTS

- Guest Lecturer, Qatar University, Courtroom Advocacy, November 11, 2019.
- Presenter, “ICC Emergency Arbitration Provisions as an Alternative to Qatar Court,” International Chamber of Commerce, Qatar, April 18, 2019.
- Panelist, “Doing Business & Investment in the United States & Qatar Forum,” United States Department of Commerce in cooperation with Qatar Financial Center Authority, November 13, 2017.
- Presenter, “Launch of ICC Revised Rules of Arbitration,” International Chamber of Commerce, Qatar, May 10, 2017.
- Presenter, “Preparing for an Arbitration,” International Chamber of Commerce, Qatar, April 11, 2017.
- Presenter, “Drafting Arbitration Clauses,” International Chamber of Commerce, Qatar, January 24, 2017.