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Shareholder, Houston



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Areas of Practice

- Commercial
- Construction
- General Civil Litigation
- Premises Liability
- Products Liability
- Transportation





Recent Experience:

- Obtained complete summary judgment as lead counsel in federal court in Utah on behalf of a leading international retailer and a children's product manufacturer. The case was a products liability case involving a serious brain injury sustained by an infant. The plaintiffs were seeking \$13.6 Million in actual damages and at least an additional \$10 Million in punitive damages. Succeeded in convincing the court that none of the claims had enough merit to proceed to trial, and further convinced the court to award over \$31,000 in court costs to the defendants.
- Prevailed before the U.S. Court of Appeals for the Fifth Circuit in a premises liability case involving a legal issue of first impression—whether businesses have a duty under Texas law to use an available automatic external defibrillator (AED) on patrons that experience a sudden cardiac arrest on the premises. Succeeded in convincing the Court to affirm the district court's decision that no such duty exists.
- Presented oral argument before the U.S. Court of Appeals for the Fifth Circuit in a products liability case involving an alleged traumatic brain injury sustained by an infant; fully prevailed on all issues.
- Served as lead trial counsel in a commercial dispute before the U.S. District Court for the Southern District of Texas in a breach-of-contract case related to the international trading of polymer products. Convinced the Court to find for our client. The Court awarded our client 100% of the claimed damages, plus \$150,000.00 in punitive damages, another \$150,000.00 in sanctions for discovery misconduct, attorney's fees, court costs, and interest. The Court also found that the counterclaims brought against our client did not have merit.
- Obtained summary judgment in a wrongful death case involving a legal issue of first impression in Texas. The federal court agreed that Texas law does not impose a duty on a business owner to use an automatic external defibrillator (AED) on patrons, even if the business has an AED on its premises.
- Serving as national counsel for an international product manufacturer and managing its entire litigation docket across numerous states.
- Obtained a unanimous defense jury verdict in federal court as lead counsel for a product manufacturer and retailer. The case was a products liability case involved a depressed skull fracture suffered by an eight-month-old child and allegations of a mild-to-moderate traumatic brain injury with the risk of developmental problems in the future. The plaintiffs claimed strict

products liability, negligence, and gross negligence. The jury found that the product was not defective and that the defendants were not negligent. This defense verdict was the selected for inclusion in the list of 2013 Top Texas Defense Verdicts as reported by VerdictSearch.

- Obtained a unanimous jury verdict as lead trial counsel for a restaurant chain in a breach of contract case related to the sale of one of its restaurant locations.
- Counseled a product manufacturer through a voluntary product recall conducted in several countries.
- Obtained a full defense verdict after the bench trial of a case seeking to enforce a commercial lease guaranty.
- Obtained summary judgment on behalf of a large, international chain of fitness centers in a premises liability case, and subsequently convinced the U.S. Court of Appeals for the Fifth Circuit to affirm the decision.
- Obtained an injunction in federal court on behalf of an international product manufacturer against its U.S. distributor after the distributor suggested it would disrupt supply to major retailers.

Education

- University of Houston Law Center – Juris Doctor
- University of Houston – Bachelor of Science, magna cum laude

Awards/Recognition

- Rated AV Preeminent® by Martindale-Hubbell® (5.0 out of 5.0)
- Fellow of the Litigation Counsel of America, a trial lawyer honorary society composed of less than one-half of one percent of American lawyers
- Named in the list of Top Texas Defense Verdicts as reported by VerdictSearch (2013)
- Selected to Texas Super Lawyers Rising Stars, 2011-17

Admissions

- All Texas State Courts
- U.S. Court of Appeals for the Fifth Circuit
- U.S. Court of Appeals for the Tenth Circuit
- U.S. District Court for the Northern District of Texas
- U.S. District Court for the Southern District of Texas
- U.S. District Court for the Eastern District of Texas
- U.S. District Court for the Western District of Texas
- U.S. District Court for the Northern District of Florida

Professional Affiliations

- The Claims and Litigation Alliance – Member
- Defense Research Institute – Member

- National Retail & Restaurant Defense Association – Member
- Indo-American Chamber of Commerce of Greater Houston – Director
- Garland R. Walker American Inn of Court – Barrister
- Houston Bar Association – Member

