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PRACTICE AREAS

- Bad Faith and Extra-Contractual Liability
- Builder's Risk
- Insurance
- Pandemic Claims and Litigation
- Professional Liability
- Property Insurance
- Reinsurance

BAR AND COURT ADMISSIONS

- State Court: Texas
- U.S. District Court: Northern, Southern, Eastern and Western Districts of Texas; District of Colorado; Western District of Oklahoma

EDUCATION

- University of Texas, J.D., 1999
- Austin College, B.A., *magna cum laude*, 1995

Brian's practice is devoted to commercial insurance litigation. In almost 25 years with the firm, he has counseled and represented numerous global insurance companies in liability and property insurance coverage disputes and bad faith litigation, with an emphasis on complex, multi-party cases involving high-dollar exposures. He has handled a broad range of litigation matters in state and federal courts across the country and has significant insurance coverage and litigation experience in first-party, builder's risk, professional liability, inland marine, excess indemnity, and reinsurance matters.

He has handled numerous first-party and reinsurance claims arising out of Hurricanes Katrina, Rita, Ike and Harvey, and he frequently represents his clients in responding to claims arising from wind, hail and other weather-related catastrophes, including most recently Winter Storm Uri.

Brian also has particular expertise in the area of property insurance appraisal, and his clients regularly seek his guidance in navigating the pitfalls of the appraisal process.

In addition, Brian is a member of the firm's Executive Committee.

REPRESENTATIVE MATTERS**Insurance Coverage – First-Party**

Represented market of insurers in responding to multi-million dollar claim for time element losses arising from service interruptions following Winter Storm Uri.

Negotiated non-suit of lawsuit against commercial property insurer arising from tornado damage to distribution center on the basis of exclusive and mandatory forum selection clause in subject insurance policy.

Obtained dismissal of lawsuit against commercial property insurer arising from alleged ammonia leaks at food processing facility, and successfully defended appeal of dismissal to United States Court of Appeals for the Fifth Circuit.

Negotiated favorable settlement of \$3.2 million claim for hail damage to 300,000 square foot commercial warehouse.

Obtained dismissal of litigation arising from disputed insurance claim involving settling and cracking of commercial parking lot in exchange for an agreement not to seek recovery of attorneys' fees and costs.

Successfully negotiated settlement of property insurance claim disputes involving three commercial properties damaged by hail following entry of appraisal awards.

Obtained "no pay" award on behalf of commercial property insurer following ten-day insurance coverage arbitration in \$75 million claim by Fortune 100 company arising out of Hurricane Katrina.

Successfully resolved \$120 million insurance coverage dispute arising from tornado damage to high-rise office tower.

Negotiated settlement of \$7.3 million property insurance coverage dispute arising from hurricane damage to luxury condominium.

Represented commercial property insurer in \$4.5 million property and boiler and machinery insurance coverage dispute arising from boiler failure at syngas production facility.

Obtained favorable settlement in \$3.9 million property insurance coverage dispute arising from storm damage to office complex.

Represented property insurer in \$400 million property insurance coverage dispute arising from damage to production facilities caused by Hurricane Katrina.

Insurance Coverage – Liability

Successfully defended liability insurer in \$160 million commercial general liability insurance coverage dispute arising from asbestos exposures.

Obtained summary judgment in \$11 million commercial general liability coverage dispute arising from construction defects at apartment complex.

Obtained mediated settlement of liability claim against project engineer arising from alleged construction defects at major international airport.

Reinsurance

Represented commercial property insurer in \$178 million reinsurance coverage matter arising from sabotage of supercomputer.

ARTICLES & PRESENTATIONS

"Viewpoint: Non-Renewal, Cancellation, Reformation and Rescission of Insurance Policies in Texas," *The Zelle Lonestar Lowdown*, November 14, 2023, co-author

"Viewpoint: Non-renewal, Cancellation, Reformation and Rescission of Insurance Policies in Texas," *Claims Journal*, November 6, 2023, co-author

"Texas Hail Bill Leads to Policyholder Attorney Hail Marys," *Texas Law360*, November 5, 2018, co-author

"Avoiding Gamesmanship in Appointing Appraisal Umpires," *Texas Law360*, November 24, 2015, author

"Benefits, Pitfalls and Trends in Property Insurance Appraisal," *The Brief*, Spring 2015, co-author

"Keeping Pace With Texas Hail Claim 'Case-Runners'," *Texas Law360*, November 21, 2014, co-author

"Why Texas Insurers Need To Report Fraudulent Hail Claims," *Texas Law360*, July 8, 2014, author

"An Overview of Property Insurance Appraisal," American Bar Association Tort Trial and Insurance Practice Section's 2014 Annual Spring CLE Meeting, San Diego, CA, April 25, 2014, co-presenter and co-author

"Texas Hail Damage Claims Seminar—What The Hail™ Is Going On?," March 6, 2014, presenter

"Insurance Appraisal: A Valuable Tool or a Process Run Amok?," Webinar, February 26, 2014, co-presenter

"Insurers, Beware Of Unnamed 3rd Parties' Hidden Rights," *Insurance*

Law360, October 8, 2013, co-author

"Appraisal Process Is Ripe For Revision," *Insurance Law360*, June 13, 2013, co-author

PROFESSIONAL AFFILIATIONS

Dallas Association of Young Lawyers

Dallas Bar Association

American Bar Association

State Bar of Texas

NOTEWORTHY

Selected for inclusion in *The Best Lawyers in America*®, 2024, 2025, 2026