



## Jason Michael Yacuk

Partner

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Jason Yacuk maintains an active litigation and insurance coverage practice related to premises liability, transportation, construction/construction defects, professional liability, environmental and toxic claims, products liability, and insurance questions.

Jason represents individuals and companies by litigating tort claims in a variety of different industries. He maintains an active practice in bodily injury and mass tort litigation arising from premises liability, product failure, oilfield accidents, toxic exposures, environmental claims, and toxicant remediation. He frequently represents clients relating to trucking and transportation litigation, including claims asserted under the Texas Dram Shop Act, Jones Act claims, FELA / railroad claims, and claims associated with the transportation of cargo. He also handles claims involving the construction and operation of buildings, plants, and industrial facilities. Jason handles both first-party and third-party claims, including bad faith and professional liability. He is a frequent speaker on insurance and tort related topics.

### Representative Experience

- Defended premises liability claims against an apartment complex where an alleged dangerous condition existed.
- Defended local and regional transportation companies in wrongful death and serious bodily injury claims.
- Obtained summary judgment for local insurance agents against negligence, deceptive trade practices, misrepresentation, and breach of contract allegations flowing from procurement and cancellation of insurance policies.
- Defended a local nightclub against claims of negligence for an assault and homicide that occurred on its premises.
- Obtained summary judgment on premises liability claims based on defenses under Chapter 95 of the Texas Civil Practices and Remedies Code.
- Defended a construction company in a case involving several fatalities that occurred during a trench collapse, and pursued claims on behalf of the

### Services & Industries

- Insurance Coverage
- Insurance Litigation
- Construction
- Mass Torts
- Transportation
- Products Liability
- Admiralty & Marine

construction company for contractual indemnity and additional insurance coverage from other responsible parties.

- Defended a construction company against claims of bodily injuries that allegedly occurred regarding equipment failure.
- Defended a distributor of latex products in bodily injury litigation, and litigated contractual indemnity and additional insured coverage issues after the conclusion of the underlying litigation.

## **Education**

- South Texas College of Law (J.D., 2000)
  - Phi Delta Phi
  - Langdell Scholar
- University of Houston (B.S., 1997)
  - Psychology
  - cum laude
  - Psi Chi

## **Bar Admissions**

- Texas, 2000

## **Court Admissions**

- United States District Court, Southern, Western and Eastern Districts of Texas

## **Professional and Community Activities**

- State Bar of Texas (Insurance Law Section)
- Defense Research Institute, member of the insurance law, toxic torts and environmental law, and construction law committees
- Houston Bar Association
- Phi Delta Phi International Legal Fraternity

## **Speeches and Presentations**

- "*Damage Control: Understanding and Limiting Damages in Texas*," Thompson Coe Webinar, December 17, 2019
- *Legislative and Tort Update: Recent Developments in Texas Tort Law*- Ninth Annual Texas Insurance and Tort Law Update, May 4, 2016.
- *2014 Tort and Legislative Update*, Seventh Annual Texas Insurance and Tort Law Update, Spring 2014
- *Tort Law Update*, 2014 Essentials Workshop for Attorneys & Experts, Houston Chapter of the Forensic Expert Witness Association, May 2014
- *Tort and Legislative Update: Recent Developments in Texas Tort Law*, Fifth Annual Texas Insurance and Tort Law Update, Spring 2012
- *2011 Tort and Legislative Update*, Fourth Annual Texas Insurance and Tort Law Update, Spring 2011
- *Tort Law Update: Recent Developments in Texas Tort Law*, Third Annual Texas Insurance and Tort Law Update, Spring 2010
- *5 Things to Know about Risk Shifting Provisions in Contractor Agreements*, American Bar Association, Insurance Coverage Litigation Committee, Website

Article, Spring 2009

- *Duty to Defend, Including Reservation of Rights, Denial of Coverage, and Declaratory Judgments* (speaker and co-author), Advanced Insurance and Tort Claims Seminar, University of Houston Law Foundation, Summer 2009
- *Stowers Today: Settlement Demands and Settlement Responses - Multiple Layers, Crossovers, Etc.*, Advanced Personal Injury Seminar, University of Houston Law Foundation, 2008
- *"Liar, Liar, Pants on Fire" Misrepresentations and their Effects on the Insurer/Insured Relationship*, Insurance Seminar, Thompson, Coe, Cousins & Irons, L.L.P., November 2007
- *Settlement Demands, and Settlement Responses - Including the Impact of Frank's Casing*, Advanced Insurance and Tort Claims Seminar, University of Houston Law Foundation, 2007
- *Not So Easy a "Caveman" Can Do It: An Insurer's Duties Under Stowers and Related Statutes*, (co-author), Texas Insurance Law Update, January 2007

## Insurance Litigation and Coverage

Jason maintains an active practice handling complex claims relating to insurance issues. He regularly handles insurance coverage questions and provides opinions on issues relating to the policies. Jason also handles insurance coverage disputes regarding various types of policies, including general liability, E&O, environmental pollution, and builders risk.

Jason has handled first-party and third-party claims under a variety of different circumstances. Many of the claims include allegations concerning brokers, agents, and premium finance companies. Jason has also written articles and spoken on insurance and bad faith issues.

### Representative Experience

- Obtained favorable verdict for commercial insurance claims management company in multi-party litigation involving weather related insurance litigation.
- Represented an insurance company regarding questions concerning coverage, co-insurance, and allocation, relating to a products liability matter.
- Represented an insurance company regarding claims and coverage questions associated with roof damage on a commercial building.
- Represented an insurance company with regards to claims made against a subcontractor concerning a construction accident
- Represented a Fortune 100 company with respect to coverage and bad faith claims and the associated dispute with the excess carrier.
- Represented an insurance company with regards to a construction accident and claims made against a general contractor.

## Casualty/Catastrophic Loss

Jason maintains an active practice in premises liability, commercial auto, industrial accident, construction accidents, and products liability claims involving personal

injuries, property damages, and wrongful death claims. Jason's clients include premises owners, construction companies, property management companies, transportation companies, and product suppliers.

### **Representative Experience**

- Defended local and regional transportation companies in wrongful death and serious bodily injury claims.
- Represents national product manufacturers in claims of property damage, serious bodily injury, and death.
- Defended a local nightclub against claims of negligence for an assault and homicide that occurred on its premises.
- Obtained summary judgment on premises liability claims based on defenses under Chapter 95 of the Texas Civil Practices and Remedies Code.
- Represents businesses and individuals in commercial automobile accident claims.
- Represents nationwide companies against premises liability and negligent activity claims.
- Defended a construction company in a case involving several fatalities that occurred during a trench collapse, and pursued claims on behalf of the construction company for contractual indemnity and additional insurance coverage from other responsible parties.
- Defended a distributor of latex products in bodily injury litigation, and litigated contractual indemnity and additional insured coverage issues after the conclusion of the underlying litigation.