

## **Kevin F. Risley**

Partner

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Kevin Risley has first-chair trial experience in more than 25 cases, running the gamut from insurance coverage to product liability and personal injury to banking and commercial litigation and constitutional law. He has been the lead appellate counsel for more than 150 cases, including more than 50 cases that have resulted in written opinions.

On both the trial and appellate levels, Kevin has substantial experience not only in multiple substantive areas of the law but also in a wide variety of procedural issues, including jury charge preparation and objections, personal and subject matter jurisdiction, mandamus, injunctive, and other extraordinary relief, setting aside default judgments and appellate jurisdiction. Kevin also regularly serves as an expert witness on the issues of the reasonableness and necessity of attorney's fees.

### **Representative Experience**

Prevailed in Eleventh Court of Appeals in breach of contract suit.

Lead trial counsel and lead appellate counsel for all defendants in upholding the 1997 asbestos reform litigation against a variety of constitutional challenges.

Represented a major American insurance company in an appeal from a trial court ruling imposing a duty to defend international cell phone manufacturers in potential class action litigation involving claims of cellular injury caused by exposure to radiation waves.

Represented a building materials company in a mandamus proceeding in which the Texas Supreme Court held that the work-product privilege is perpetual and survives the conclusion of the case in which a privileged document was created.

Obtained summary judgment on behalf of general liability insurer and obtained affirmance of judgment on appeal in one of the first cases in Texas involving the pollution exclusion clause.

Represented manufacturer of asbestos-containing products in defining the application of the one-action rule and the statute of limitations in a mesothelioma claim.

Reduced judgment against general liability insurer arising out of nursing home claims by \$1 million.

[United States Fire Ins. Co. v. Scottsdale Ins. Co.](#), 264 S.W.3d 160 (Tex. App. – Dallas 2008, no pet.)

Obtained reversal of a \$24 million default judgment against a non-resident product manufacturer in two mesothelioma cases.

[Combustion Engineering Co. v. Vukich](#), No. 13-01-00750-CV (Tex. App. – Corpus Christi 2002, no pet.)

Obtained dismissal for lack of personal jurisdiction of claims against out-of-state lawyers who had represented Texas residents.

[Weldon-Francke v. Fisher](#), 237 S.W.3d 789 (Tex. App. – Houston [14th Dist.] 2007, no pet.)

Represented Lloyds of London entities in obtaining reversal of anti-suit injunction, which prohibited the continuation of an insurance coverage suit filed by insurers in Louisiana.

[Travelers Ins. Co. v. J. Ray McDermott, Inc.](#), No. 09-05-00110-CV (Tex. App. – Beaumont 2005, no writ)

Significantly reduced judgment against pipeline company in property damage claims arising out of an explosion of underground gas storage dome.

[Seminole Pipeline Co. v. Broad Leaf Partners](#), 979 S.W.2d 738 (Tex. App. – Houston [14th Dist. 1998], no writ)

## Awards & Recognition

MARTINDALE-HUBBELL

AV Peer Review Rated

TEXAS BOARD OF LEGAL SPECIALIZATION

Board Certified in Civil Appellate Law

## Related Services

[Appellate Litigation](#)

[Insurance](#)

## Publications & Speaking Engagements

Insurance Litigation Trends and Developments

Supreme Court of Texas to Determine Whether Responsibility-Shifting Provision of Lease Agreement Violates Public Policy

Sep 14, 2015

Texas Supreme Court Adopts New Rules for Dismissal of Baseless Causes of Action and for Expedited Actions

Feb 15, 2013

HB 274 – “Loser Pay Rule”

Jun 16, 2011

Constitutional and Medical Issues in Texas Asbestos Litigation

Harris-Martin Texas Asbestos Seminar

2008

Current Issues in Texas Tort Law

Eighth Annual Seminar on Texas Insurance Law Developments

2008

Update on Texas Tort Law: It’s Child’s Play

Texas Insurance and Tort Law Update

2008

## Education, Admissions & Activities

### EDUCATION

Georgetown University Law Center

J.D., cum laude, 1981

American Criminal Law Review

Centre College of Kentucky

B.A., 1977

Economics and Philosophy

Honor Scholar

Varsity Soccer

### BAR ADMISSIONS

Texas

1981

### COURT ADMISSIONS

United States Court of Appeals

Fifth and Sixth Circuit

**PROFESSIONAL AND COMMUNITY ACTIVITIES**

Houston Bar Association)

Appellate Lawyer Board of Editors

City of Piney Point Village

Board of Adjustments, 2006-present

American Printing History Association

United States Court of Appeals for the Sixth Circuit, Honorable Pierce Lively

Law Clerk, 1981-1982