



Kevin F. Risley

Partner

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Kevin Risley is Board Certified in Civil Appellate Law by the Texas Board of Legal Specialization and also 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 lead appellate counsel on more than 150 cases including more than 50 cases that have resulted in written opinions.

On both the trial and appellate level, Kevin has substantial experience not only in multiple substantive areas of the law as well as a broad 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 Beach of Contract Suit, [Coverage from Texas Law360](#)
- Lead trial counsel and lead appellate counsel for all defendants in upholding the 1997 asbestos reform litigation against a variety of constitutional challenges
- Represented major American insurance company in appeal from trial court ruling imposing a duty to defend international cell phone manufacturer in potential class action litigation involving claims of cellular injury caused by exposure to radiation waves
- Represented building materials company in 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

Services & Industries

- Appellate
- Insurance Litigation

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 \$1,000,000: *United States Fire Ins. Co. v. Scottsdale Ins. Co.*, 264 S.W.3d 160 (Tex. App. – Dallas 2008, no pet.)
- Obtained reversal of \$24 million dollar 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 had prohibited the continuation of an insurance coverage suit filed by the 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 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)

Education

- Georgetown University Law Center (J.D., 1981)
 - cum laude
 - 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 Circuits

Professional and Community Activities

- Board of Editors, Appellate Lawyer (on-line publication of Appellate Section of Houston Bar Association)
- Board of Adjustments, City of Piney Point Village (2006-present)
- American Printing History Association (2007-present)

Speeches and Presentations

- *Constitutional and Medical Issues in Texas Asbestos Litigation*, Harris-Martin Texas Asbestos Seminar, Houston, Texas. November 2008.
- *Current Issues in Texas Tort Law*, Eighth Annual Seminar on Texas Insurance

Law Developments, Dallas, Texas. November 2008.

- *Update on Texas Tort Law: It's Child's Play*, Texas Insurance and Tort Law Update 2008, Houston, Texas. September 2008.

Professional Recognition

- Board Certified in Civil Appellate Law, Texas Board of Legal Specialization
- Named a 2013 Top Rated Lawyer in Appellate Law by American Lawyer Media and Martindale-Hubbell™
- Law Clerk to The Honorable Pierce Lively, United States Court of Appeals for the Sixth Circuit, 1981-82
- "AV" Peer Review Rated by *Martindale-Hubbell*.

Publications

September 14, 2015

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

February 15, 2013

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

June 16, 2011

HB 274 - "Loser Pay Rule"