



Rhonda J. Thompson

Co-Chair, Insurance Litigation & Coverage Section

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Rhonda Thompson's practice involves trial work on behalf of insurance carriers directly as well as on behalf of their policyholders.

Rhonda directly represents insurance carriers, both commercial and personal lines, in a variety of coverage-related litigation, bad faith cases and carrier-to-carrier disputes. She regularly advises insurers on complex and unique coverage issues under commercial liability, auto, farm, and property policies as well as errors and omissions policies, directors and officers policies and tenant and homeowners' policies. Rhonda is sought after to advise on complex business interruption and civil authority matters along with additional insured issues, shared defense and indemnity obligations and contractual indemnity disputes, including litigating these issues on their behalf or on behalf of their policyholders.

Throughout her career, Rhonda has devoted a significant amount of time training insurance carriers and businesses on a wide range of topics, including claim litigation management, risk management, insurance coverage topics and general claims handling.

Representative Experience

- Obtained federal court summary judgment on behalf of CGL carrier, upheld by Fifth Circuit Court of Appeals, successfully arguing no duty to defend against alleged violations of federal trademark infringement and related claims as personal and advertising injury.
- Obtained directed verdict in federal commercial property insurance case with eventual take nothing judgment entered in favor of the insurance carrier with an award of taxable court costs.
- Lead trial counsel for commercial property hail damage case that resulted in state court jury verdict sufficiently lower than a rejected statutory offer, and allowing for offset and zeroing out the damages and fees awarded.

Services & Industries

- Insurance Litigation
- Weather-Related Catastrophe Litigation
- Gulf Coast Practice
- Commercial Litigation
- Transportation
- Governmental & Legislative Advocacy

- Obtained defense verdicts after jury trial in numerous commercial and residential lawsuits seeking damages due to breach of contract and bad faith arising out of insurance property claims for hail and other weather events.
- Obtained post-appraisal federal court summary judgment on behalf of surplus lines property insurer, dismissing all contractual and extra-contractual claims after payment of the appraisal award.
- Obtained favorable rulings in relation to various plaintiffs' motions to remand based upon the fraudulent joinder of a state, resident insurance adjuster.
- Obtained federal court summary judgment on behalf of property insurer on issue of lack of insurable and financial interest of mortgagee/lienholder not named on the policy.
- Tried Hurricane Ike lawsuit through jury verdict resulting in amicable settlement during appeal process.
- Represented insurers in judicial proceedings involving appraisal.
- Obtained state summary judgment ruling on the applicability of Named Driver Exclusion in context of an uninsured/underinsured motorist claim.
- Obtained federal court summary judgment on behalf of liability insurer on securities errors and omissions claim due to insured's failure to satisfy condition precedent to coverage.
- Obtained state summary judgment ruling on behalf of liability insurer due to claimant's failure to meet requirements of the additional insured endorsement.
- Obtained summary judgment in federal court on behalf of lawyers' professional liability insurer on issues related to whether legal services and covered damages were alleged or established.
- Obtained summary judgment state court in favor of personal property insurers on the grounds that the claimant lacked standing to assert insurance code violations for failing to include general contractor's overhead and profit in replacement cost estimates.
- Obtained summary judgment in federal court on behalf of personal liability insurer resulting in finding of no duty to defend or indemnify in case on basis of the absence of an occurrence.
- Defended excess legal liability insurer in bad faith/declaratory judgment action by advancing the application of policy's retroactive date and resulting in insurer's settlement contribution well below policy limits.
- Represented and advised various insurers in further investigating numerous personal and commercial property claims through conducting examinations under oath.
- Represented and advised various personal and commercial property insurers regarding legal issues unique to policies' appraisal clause.

Education

- Baylor University School of Law (J.D., 2001)
 - Order of Barristers
 - National Trial Competition Mock Trial Finalist & Best Overall Advocate
- University of North Texas (M.Ed., 1993)
- Oklahoma State University (B.S., 1989)

Bar Admissions

- Texas, 2001

Court Admissions

- United States District Court, Northern, Southern, Western and Eastern Districts of Texas
- United States Court of Appeals, Fifth Circuit

Professional and Community Activities

- Houston Bar Association, Member
- Dallas Bar Association, Member (2018 - Present)
- Dallas Bar Association Bench Bar Conference Committee (2018 - Present)
- Dallas Bar Association Legal Ethics Committee (2018 – Present)
- DISD, Booker T. Washington High School Performing & Visual Arts Theater Conservatory Board (2016 – Present)
- Good Shepherd Episcopal School, Parent Organization Board (2017 - Present)
- State Bar of Texas (Insurance and Litigation Sections)
- Dallas Bar Association Judiciary Committee (2014 - Present)
- Claims and Litigation Management Alliance, Premium Member
- Baylor Law School's Top Gun National Mock Trial Competition. Scoring Judge (2013 – 2020)

Speeches and Presentations

- "Emerging Issues: Civil Disorder and Insurance," Thompson Coe Webinar, June 23, 2020
- "[Storms Claims Litigation Update.](#)" Advanced Insurance Law Update, Texas Bar CLE, June 5, 2020
- "[Emerging Risks: Insurance Coverage for COVID-19.](#)" Thompson Coe Webinar, March 24, 2020
- "[Texas Appraisal Update: The Supreme Court Has Spoken](#)", Thompson Coe Webinar, August 6, 2019
- "[Marijuana, CBD, Vaping: Smoking Out Insurance!](#)", Thompson Coe Webinar, April 16, 2019
- "Managing Millennials: Get Woke and Be Chill!", 2018 PLRB Claims Conference, April 16-18, 2018
- "[Coverage Pitfalls - Three Unique Harvey Issues and How to Address Them.](#)" Thompson Coe Webinar, December 19, 2017"
- "[Texas Update: Hurricane Harvey](#)" Thompson Coe Webinar, September 5, 2017
- "[Show Me the Money: Defending Against Attorneys' Fee Claims](#)". Thompson Coe Webinar, October 25, 2016
- "Know When to Hold 'Em, Know When to Fold 'Em", 2016 CLM Atlanta Conference, May 19-20, 2016
- "Deconstructing a Repair Estimate", 16th Annual Windstorm Insurance Conference, January 29 – 22, 2015, New Orleans
- "How to Pick Your Battlefield", UT Insurance Institute Seminar, Dallas, November 13 - 14, 2014
- "Battling for the Forum: It Matters", Thompson Coe Coverage Seminar, Dallas, October 9, 2014
- "Deconstructing A Repair Estimate", Thompson Coe Webinar, June 17, 2014

- "How to Manage Appraisal and Its Aftermath" 18th Annual Insurance Law Institute, UT School of Law and The Insurance Law Section of the State Bar of Texas, November 7, 2013
- "Corporate Depositions & Discovery: This is Our Story and We're Sticking To It" Thompson Coe's 12th Seminar on Texas Insurance Law Developments, October 17, 2017
- "What the Hail?: Weather and Catastrophe Claims", Claims & Litigation Management Alliance, Dallas Chapter, June 2013
- "Earth, Wind and Fire: A Forensics Insider Webinar showcasing investigations from Superstorm Sandy, attorney advice on defending catastrophe claims, and how fire distresses concrete" Webinar for Nelson Architectural Engineers, Inc., Panelist, February 13, 2013
- "Insurable Interest: What About Me?" Thompson Coe's 11th Seminar on Texas Insurance Law Developments, October 25, 2012
- "Policy Conditions: It Takes Two To Tango" National PLRB Conference in Nashville, Tennessee, April 4 - 6, 2011
- "The Nitty Gritty of Property Policy Conditions" 12th Annual Windstorm Insurance Conference, January 26, 2011
- 2010 Dallas All Industry Day - "Ask the Experts" Panel Presentation, November 23, 2010
- "We Just Dropped In to See What Condition Our Conditions Were In" Thompson Coe's 9th Seminar on Texas Insurance Law Developments, May 6, 2010
- "Non-Compliance with Policy Conditions" National PLRB Conference in San Antonio, Texas, March 23 - 24, 2010
- "The Who, When, Why and How for Hiring Independent Counsel" North Texas Association of Insurance Counsel, December 4, 2009
- "Checking in on the Eight Corners Rule" Thompson Coe Annual Seminar on Texas Insurance Law Developments, November 6, 2008
- "So You Believe it was Arson – Now What?" Thompson Coe Annual Seminar on Texas Insurance Law Developments, November 7, 2007
- "Other Insurance Clauses and Their Impact on the Duty to Defend" Thompson Coe Annual Seminar on Texas Insurance Law Developments, December 8, 2005
- "The New Boundaries of the Eight Corners Rule" Thompson Coe Annual Seminar on Texas Insurance Law Developments, December 9, 2004
- "Selection of Independent Counsel" Dallas Bar Association's Tort & Insurance Practice Section, October 28, 2004
- "Overhead and Profit: When Do You Pay It?" Thompson Coe Annual Seminar on Texas Insurance Law Developments, December 11, 2003

Professional Recognition

- Nominated by peers to *The Best Lawyers in America*® 2020-2021 in the field of Insurance Litigation.
- *Law & Politics* magazine's *Texas Super Lawyers*® - *Rising Stars* list for 2006 - 2010.
- 2017 Best Lawyers in Dallas, Insurance Law, *D Magazine*

Publications

May 1, 2020

COVID-19 & Insurance Disputes: Class Actions and MDL Efforts Spreading Across the Nation

May 1, 2020

Texas Supreme Court Recognizes Exception to Eight Corners Rule

April 9, 2020

Texas: Business Interruption Lawsuit Filed Over Pandemic Event Endorsement

March 27, 2020

Q&A From Insurance Coverage for COVID-19 Webinar

April 13, 2018

USAA v. Menchaca: Second Time Around

December 16, 2016

Fourth Court of Appeals Affirms Post-Appraisal Summary Judgment for Insurer

December 30, 2009

Coverage News: 2009, Issue 1

October 15, 2005

Lamar Homes, Inc. v. Mid Continent Casualty Company, 2005 WL 2432029 (5th Cir. Tex., Oct. 3, 2005)

July 1, 2003

How Many Times Can A Claim Be Denied?