



Tasha L. Barnes

Partner

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Tasha Barnes has successfully defended hundreds of catastrophic injury, wrongful death and professional negligence cases involving significant exposure over the past twenty-three years. Her experience includes a diverse range of litigation including high exposure personal injury and professional negligence cases. She frequently represents construction companies, trucking companies, real estate agents, bars and restaurants, premises owners and health care providers. Her health care experience includes defending a Level 1 Trauma Center and teaching hospital, nurses, physicians, dentists, pharmacies, emergency medical service providers, medical spas and radiology clinics. Additionally, her practice includes products liability including medical device litigation, premises liability, liquor liability including fraternities, bars and restaurants, recreational liability including health clubs and adventure sports, as well as claims against non-subscribing employers.

Tasha's approach to litigation focuses on efficient and cost-effective resolutions to cases either through early settlement or dispositive motion. Through early case evaluations and attempts at resolution, she seeks to minimize costs and promote the best interests of the client. Most recently, Tasha favorably settled a medical malpractice case prior to taking any depositions through informal, cooperative discovery.

In 2011, the Texas Supreme Court affirmed a summary judgment motion authored by Tasha in *Foreman v. Allen Keller Co.* This opinion represents a significant change in Texas law concerning the duty of a construction contractor. Another summary judgment she authored was affirmed by the Third Court of Appeals in 2011, and is significant with respect to insurance in the construction industry. In 2017, Tasha tried two personal injury jury trials in Travis County and obtained complete defense verdicts in both cases. Both cases involved the construction industry, one involving a construction accident and the other involving a motor vehicle collision with a street sweeper.

Services & Industries

- Products Liability
- Mass Torts
- Health Care
- Construction
- Transportation

Representative Experience

- Obtained a defense verdict on behalf of commercial mechanic in catastrophic injury case involving a crush injury to an operator of a bucket lift.
- Obtained defense verdict on behalf of construction company for an admitted fault collision between a street sweeper and a parked car.
- Authored summary judgment resulting in dismissal for international construction company in a traumatic brain injury case.
- Tried and obtained defense verdict in favor of pharmacy in wrongful death case.
- Won summary judgment on behalf of health care provider in labor and delivery case with alleged cerebral palsy and claimed economic damages in excess of \$25M
- Won summary judgment on behalf of a real estate brokerage firm sued for negligence and breach of contract
- Handled defense of medical device case resulting in defense verdict on behalf of one of America's largest manufacturers of healthcare supplies.
- Obtained summary judgment on behalf of a college fraternity in sexual assault and dram shop case.
- Obtained summary judgment for a national health club chain by enforcing a pre-injury release of liability.
- Resolved a wrongful death suit on behalf of a construction company arising from a major natural gas explosion in Austin, Texas.
- Obtained unanimous defense verdict for premises owner/construction company in a trucking accident at a gravel pit.
- Negotiated favorable settlement in severe burn injury case on behalf of non-subscribing employer.
- Obtained take-nothing judgment in wrongful death products liability case in which jury awarded damages against Co-Defendant for 17 million dollars.
- Negotiated favorable settlement in double-fatality products liability action involving allegedly defective wheel.
- Defended national motor carrier in triple-fatality trucking accident case.

Education

- University of Oklahoma (J.D., cum laude, 1996)
 - Order of the Coif
- Oklahoma State University (B.S., cum laude, 1993)
 - Journalism and Broadcasting

Bar Admissions

- Texas, 1996

Professional and Community Activities

- Texas Association of Defense Counsel, Chair of Trial Academy 2011
- Texas Association of Defense Counsel, District Director 2005-2007

Speeches and Presentations

- H.B. 1869: The Impact of the Subrogation Reform Bill Upon Third-Party Liability Claims

Professional Recognition

- Named among "Austin's Top Attorneys 2020" by *Austin Monthly Magazine*
- Named to *Texas Super Lawyers® - Texas Rising Star* list by *Law & Politics magazine* 2004, 2005, 2006, 2008

Publications

July 13, 2020

Law Alert: Fourteenth Court Of Appeals Narrows Scope of Texas Medical Liability Act

April 23, 2020

Renowned Texas Attorney Files COVID-19 Wrongful Death Suit Against Princess Cruise Lines

April 15, 2020

Next Wave of Coronavirus Litigation? Negligent Transmission Claims Against Property Owners and Managers

December 16, 2015

Buckle Up or Else: Texas Supreme Court Holds Plaintiffs Responsible for Failure to Wear Seat Belts

October 18, 2013

H.B. 1869: The Impact of the Subrogation Reform Bill Upon Third-Party Liability Claims