



Timothy E. Headley

Partner

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Tim Headley's practice focuses on defending companies and insurers involved in litigation. Tim's casualty litigation practice involves defending companies and individuals in cases involving personal injury, wrongful death, negligence, intentional torts, deceptive trade practices, premises liability, transportation accidents, on-the-job accidents, product liability and construction defect.

Tim's insurance litigation practice involves representing insurers in connection with first- and third-party coverage-related litigation. Tim's areas of concentration in coverage matters includes: first-party claims involving the insuring agreement with the applicability of exclusions to coverage; defense of carriers in first-party claims involving catastrophic storm damage; coverage disputes involving duties to defend and/or indemnify under liability policies; defense of carriers from claims of common law and statutory bad faith; coverage for construction defect claims and potential additional insureds.

Representative Experience

- Obtained summary judgment in favor of a company being sued in a slip and fall case based upon lack of knowledge of the alleged dangerous condition.
- Obtained summary judgment in favor of an insurer in a duty to defend case involving 26 underlying lawsuits filed against the insured for defective EIFS siding.
- Negotiated a favorable settlement in favor of an insurer in coverage litigation involving a \$20 million property loss stemming from alleged cell phone theft.
- Obtained dismissal for a company involved in product liability litigation brought by over 200 plaintiffs claiming to have suffered personal injuries from exposure to the company's chemical product.
- Obtained summary judgment in favor of a manufacturer of temporary buildings in litigation brought by a plaintiff claiming to have suffered personal injuries from mold exposure in a building manufactured by the company.
- Defended a company involved in wrongful death case by obtaining a dismissal after filing a summary judgment motion based upon lack of medical causation

Services & Industries

- Insurance Litigation
- Products Liability
- Mass Torts
- Community Associations
- Construction

evidence.

- Obtained summary judgment in favor of insurer against additional insured over settlement made by additional insured in a construction defect case.

Education

- South Texas College of Law (J.D., 1998)
- Texas Tech University (B.A., 1990)

Bar Admissions

- Texas, 1998

Professional and Community Activities

- State Bar of Texas
- Dallas Bar Association
- Texas Association of Defense Counsel

Speeches and Presentations

- *Primary and Excess Coverage, Covering Key Policy Provisions and Exclusions*, University of Houston Law Foundation. October 2005, April 2007, June 2008. Included presentations at CLE course.
- *When is Recovery of Mental Anguish Damages Allowed?*, Fall 2001.
- *Does Fort Worth Ever Cross Your Mind?: What a Plaintiff Must Prove in Order to Hold a Corporation Liable for Exemplary Damages*, March 2000.
- Contributor, *Insurance Coverage Newsletter*, Texas Association of Defense Counsel, Fall 1999 through Spring 2001.