

Wade C. Crosnoe

Partner

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Wade Crosnoe specializes in civil appeals and mandamus proceedings in Texas state and federal appellate courts. He also collaborates with trial counsel in preserving error for appeal and briefing critical legal issues in all phases of trial court proceedings, including at the jury charge conference and in pretrial, trial, and post-trial motions.

After serving as a briefing attorney for Justice Sue Lagarde on the Fifth Court of Appeals at Dallas, Texas, Wade has devoted his practice to appeals for more than 25 years. During that time he has given over 65 oral arguments in state and federal appellate courts.

Wade's appellate practice focuses primarily on insurance, professional liability, personal injury, and product liability cases.

Wade represents and counsels insurance companies in a wide range of coverage matters arising under general liability, property, excess, D&O, EPLI, professional liability, and automobile policies. He has tried cases involving coverage issues as well as a case in which a corporate policyholder sued its agent for fraud and professional negligence. He has also represented insurance companies in numerous appeals in cases involving coverage and other insurance-related issues.

Representative Experience

APPELLATE

Represented an insurance company in a certified question appeal in which the Supreme Court of Texas recognized the "Northfield" exception to the "eight corners" rule for determining the duty to defend.

Represented personal-injury defendants in mandamus proceeding in which the Supreme Court of Texas ordered discovery of the reimbursement rates negotiated between plaintiff's medical providers and health insurers for same medical services provided to uninsured plaintiff.

Represented a general contractor in an appeal in which the Supreme Court of Texas reversed and rendered judgment for the contractor, concluding that it owed no duty to the plaintiff for an allegedly dangerous condition created by work that complied with the construction contract.

Represented an insurance company in a mandamus proceeding in which the Supreme Court of Texas vacated the district court's order denying the insurer's motion to compel arbitration and ordered the case to arbitration.

Represented a property management company in an appeal in which the Supreme Court of Texas reversed a \$1.2 million default judgment against the company and rendered judgment that the plaintiffs take nothing.

Represented a large, national insurance company in an appeal in which the Supreme Court of Texas reversed an award of attorney's fees to the plaintiff under the Prompt Payment of Claims statute.

Represented national insurance company in appeal to U.S. Court of Appeals for the Fifth Circuit in which the court affirmed summary judgment for the insurer on contractual and extracontractual claims based on insurer's timely payment of appraisal award.

Represented group of large national insurers in appeal to the U.S. Court of Appeals for the Fifth Circuit in which the court affirmed a civil RICO judgment for the insurers of approximately \$4 million.

Represented reinsurer in appeal to the U.S. Court of Appeals for the Fifth Circuit in which the court affirmed a judgment of \$16.5 million for reinsurer based on tortious interference claim, and reversed and remanded district court's grant of summary judgment against reinsurer on other claims.

Represented a Fortune 500 company in a mandamus proceeding in which the U.S. Court of Appeals for the Fifth Circuit ordered the district court to dismiss a group of product liability cases based on forum non conveniens.

Represented a national insurance company in an appeal where the U.S. Court of Appeals for the Tenth Circuit reversed the district court's ruling that a food-poisoning incident resulted from multiple occurrences, resulting in a \$1 million reduction in the judgment.

Represented a large, multinational insurance company in an appeal in which the U.S. Court of Appeals for the Ninth Circuit affirmed the district court's judgment declaring that the company had no duty to indemnify its insured for a settlement of over \$6 million.

Represented manufacturing company in mandamus proceeding in which Texas court of appeals clarified the discoverability of settlement agreements.

INSURANCE & LITIGATION

Represented a company in a mandamus proceeding in which the Supreme Court of Texas vacated the district court's order denying the insurer's motion to compel arbitration and ordered the case to arbitration.

Represented a large, national insurance company in an appeal in which the Supreme Court of Texas reversed an award of attorney's fees to the plaintiff under the Prompt Payment of Claims statute.

Represented a large, multinational insurance company in an appeal in the United States Court of Appeals for the Ninth Circuit in which the court affirmed the district court's judgment declaring that the company had no duty to indemnify its insured for a settlement of over \$6 million.

Represented an insurance company in an appeal in a bad faith case in which the Fort Worth Court of Appeals reversed a punitive-damages award of \$3.5 million against the insurer and rendered judgment that plaintiffs take nothing on their punitive-damages claim.

Represented a national insurance company in an appeal in a coverage dispute with another liability insurer in which the Fort Worth Court of Appeals reversed a summary judgment for the other insurer and remanded for trial.

Represented the insurer in the jury trial on remand and obtained a judgment awarding the client reimbursement for its settlement payment on behalf of its insured as well as attorney's fees incurred in pursuing the reimbursement claim.

Represented a Texas-based insurance company at trial of subrogation suit brought by co-primary insurer and then represented insurer in appeal from adverse verdict in which the San Antonio Court of Appeals reversed the trial court's judgment and remanded for a new trial.

Represented insurance agent in trial involving claims of fraud, deceptive trade practices, and professional negligence and obtained a jury verdict and take-nothing judgment for agent.

Represented large national insurance company in an appeal from an adverse verdict in an insurance coverage/bad faith case in which the Fort Worth Court of Appeals reversed and rendered a take-nothing judgment against the plaintiffs.

Represented workers' compensation carrier in plaintiff's appeal from an adverse verdict in bad faith case in which the Dallas Court of Appeals affirmed the district court's take-nothing judgment for the carrier.

Prepared and filed amicus briefs in Texas appellate courts on behalf of various insurance industry trade groups in cases of interest to those groups.

Awards & Recognition

BEST LAWYERS IN AMERICA

Listed for Appellate

2024-2025

AUSTIN MONTHLY MAGAZINE

Austin's Top Attorneys list

2020

TEXAS SUPER LAWYERS

Listed for Appellate, Insurance Coverage

2003-2004, 2006-2023

MARTINDALE-HUBBELL.

AV Peer Review Rated

TEXAS BOARD OF LEGAL SPECIALIZATION

Board Certified in Civil Appellate Law

1999

Related Services

Appellate Litigation

Insurance

Products Liability & Mass Torts

Professional Liability

Publications & Speaking Engagements

Texas Supreme Court Clarifies Employer Liability in Trucking Accident Cases

Jun 30, 2025

Texas Supreme Court Issues Significant Decision on Exception to “Eight Corners” Rule

Feb 11, 2022

The Fifth Circuit Significantly Expands the Interpretation of “Publication”

Aug 10, 2021

Texas Supreme Court Adopts “Sham-Affidavit” Doctrine

Apr 27, 2018

Panel Discussion of Third Court of Appeals Justices

Austin Bar Association Bench Bar Conference

2014

Avoiding and Overcoming Post-Argument Remorse

UT Conference on State and Federal Appeals

2013

Texas Supreme Court's Decision on Waiver of Appraisal – In re Universal Underwriters

May 6, 2011

Protecting Your Insured from Enforcement of a Judgment During an Appeal

Oct 12, 2006

The Texas Supreme Court Hears Oral Arguments in the Lamar Homes Case

Apr 10, 2006

Coverage News: Volume 6, Issue 1

Apr 3, 2006

Appeal Basics: What Every Attorney Should Know

Solo and Small Firm Section of the Austin Bar Association

2005

Preserving Summary Judgment Error for Appeal

Civil Appellate Section of the Austin Bar Association

2004

Preserving Summary Judgment Error for Appeal

Civil Appellate Section of the Dallas Bar Association

2003

A Valid Insurance Claim is a Prerequisite to Liability Under Article 21.55

Jun 18, 2001

Preserving Summary Judgment Error for Appeal

Sep 21, 2000

Education, Admissions & Activities

EDUCATION

Southern Methodist University Dedman School of Law

J.D., 1992

Phi Delta Phi

University of Texas at Austin

B.A., 1989

English

BAR ADMISSIONS

Texas

1992

COURT ADMISSIONS

United States Supreme Court

United States Court of Appeals

Fifth, Seventh, Ninth and Tenth Circuits

United States District Court of Texas

Northern, Southern, Eastern, Western

PROFESSIONAL AND COMMUNITY ACTIVITIES

Austin Bar Association

Civil Appellate Section chair, 2010-2011

UT State and Federal Appeals Seminar in Austin

Presiding Officer, 2010

Austin Bar Association

Civil Appellate Section, Secretary-Treasurer, 2008-2009

Texas Bar Foundation

Fellow

Third Court of Appeals

Pro Bono Pilot Committee Member, 2008-2010