



## William R. Moye

Management Committee

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Will Moye is what many others claim to be – a real trial lawyer. Will believes that his client's success in the boardroom depends on his abilities in the courtroom. He is hired to navigate and solve the myriad intractable problems that attach to high-stakes litigation either through thoughtful discovery work or through an eventual jury trial. In fact, Will is often hired to “parachute” into existing litigation, sometimes on the eve of trial, to guarantee the best possible chance of success for his clients.

In early 2019, Will had a stretch where he tried three jury cases in twelve weeks in three different Texas counties – all of which included policy limit settlement demands and insanely aggravated liability facts with admitted fault. All three jury verdicts were returned with amounts well within his client's insuring limit and for a fraction of what opposing counsel asked for in closing arguments. Will and his team's dedication through several weeks of trial work and months of preparation resulted in three family-owned companies avoiding collapse from an adverse verdict and staying open for business.

Of course, Will does not win every case. Nobody does. One of his proudest moments came in defeat when, after an adverse jury verdict, the client that lost the case immediately terminated their existing lawyers in two separate lawsuits with upcoming trial dates and hired Will to try both cases in their place.

Will's litigation practice involves the following types of claims:

**Product Liability:** As lead counsel Will has defended lawsuits involving allegations of product defects in passenger vehicles, vehicle components, tires, tractor trailers, heavy industrial equipment, construction equipment, marine equipment, recreational equipment, oilfield equipment, pharmaceuticals, and medical devices. Claims have included those for design defects, manufacturing defects, marketing defects, and consumer fraud allegations. Damages have included wrongful death and survival claims, traumatic brain injuries, amputations, full-body burns, and other catastrophic personal injuries. Clients have included

### Services & Industries

- Transportation
- Products Liability
- Admiralty & Marine
- Mass Torts
- General Liability
- Professional Liability
- Subrogation & Loss Recovery
- London Market Practice
- Gulf Coast Practice

Ford Motor Company, Pep Boys Inc., Polaris, Michelin North America Tire, Fisher Klosterman, and Rheem.

**Transportation:** Will's transportation practice is literally nationwide. Along with representing professional drivers, he has worked for several long-haul, regional, and local trucking companies in the defense of claims made for negligent hiring, training, supervision, and retention. Will is versed in the FMCSA Rules and Regulations and is a regular speaker on issues related to litigation in the trucking industry and in particular plaintiff's "Reptile Theory."

**Energy & Marine:** Will has experience litigating premises, products, and negligent activity claims for injuries sustained both offshore and onshore involving platforms, vessels, rigs, and chemical refining and storage facilities. Many of the claims involve explosion litigation. Clients have included Chevron, Chevron Phillips Petroleum Company, Anadarko, Hercules Offshore, Vopak Americas, TechnipFMC, Devon Energy, Chesapeake Energy, and Total.

**Professional Liability / Construction Defect:** Will represents Engineers and other design professionals for alleged professional negligence.

**General Casualty:** Will represents Whole Foods Markets in general liability and nonsubscriber litigation. Will's practice also includes litigation for Dram Shop/Liquor Liability as well as negligent security cases born from *Timberwalk* and its progeny. Finally, Will has achieved the dream of almost every Texas lawyer by being able to represent both the Houston Astros Baseball Club and The Lone Star Brewing Company.

**Excess Monitoring:** Will is retained by excess insurers to either represent the carrier directly or to affiliate with existing defense counsel in catastrophic injury cases where the excess insuring layer is at risk. Will works for domestic, London-based, and Bermuda-based insurers, insuring syndicates, and reinsurers in assessing the risk and mitigating the exposure in cases that can only be described as "the worst of the worst."

## Representative Experience

- Defeated 89 million dollar damage claim via partial motion for summary judgment for the loss of an Eagle Ford Shale oil and gas well.
- Represented the engineer of record for alleged professional negligence for the design of an LPG tank complex, terminal facility, and condensate splitter in a \$880 million dollar facility to manage and distribute Eagle Ford Shale assets worldwide.
- Represented the engineer of record for alleged professional negligence for the design of an NGL processing and storage facility for a multi-million dollar facility to manage Permian Basin petroleum assets.
- Served as statewide counsel for auditing company related to *Listeria monocytogenes* food poisoning, the [largest foodborne illness outbreak in United States history](#).
- Defended the owners of White Oak Music Hall in a highly publicized and politicized dispute with [thousands of neighbors in a nuisance class action](#).

- Defended a service contractor in an ethylene explosion at a Houston-area refinery which resulted in [150 claimant MDL](#).
- Represented the excess insurer in a nationally publicized [multiparty fatality accident](#) involving the death of 3 Boy Scouts.
- Represented the excess insurer in a nationally publicized [fatality accident involving a serious tractor trailer crash](#) in Nebraska.
- Defended an interstate transportation company in a rollover bus accident with [40+ wrongful death claimants and 44 personal injury claims](#).
- Tried to defense verdicts product liability claims for Ford Motor Company involving wrongful death, traumatic brain injury, and other serious personal injury claims.
- Tried trucking and general liability claims for permanently disabling orthopedic injuries, traumatic brain injuries, and other serious personal injury claims.
- Arbitrated construction defect and commercial litigation claims to client's satisfaction.
- Represented the excess insurer in a [multi-fatality, multi-disabling tragic burn injury matter](#) involving the explosion of a family home on Christmas Eve.

## Education

- Seton Hall University School of Law (J.D., 2000)
  - Dean's Scholar
- Marquette University (B.S., 1997)
  - Biological Sciences
  - Presidential Scholar

## Bar Admissions

- Texas, 2000

## Court Admissions

- United States District Court, Northern, Southern, Western and Eastern District of Texas

## Professional and Community Activities

- Trucking Industry Defense Association
- Defense Research Institute: Product Liability Committee
- Defense Research Institute: Trucking Law Committee, Regional Editor: DRI Trucking Law Compendium
- Defense Research Institute: Trial Tactics Committee
- Claims and Litigation Management Alliance - Houston Chapter - Secretary
- Texas Bar Foundation – Fellow
- Marquette University – Regional Alumni President
- Life Member: National Eagle Scout Association

## Speeches and Presentations

- *Addressing the "Reptile Theory" in Opening Statements*, TX, PA, NJ, NY CE/CLE, New Jersey (2019)
- *Deflating the "Profits over People" Trial in Texas*, TX CE, CLE, Houston, Texas

(2019)

- *Unwinding the CD Claim*, TX, FL, NJ, NY, PA CE/CLE, Morristown, New Jersey (2018)
- *Using Technology To Persuade the Modern American Juror*, Lloyd's Market Association – Lloyd's of London, United Kingdom (2017)
- *(De)Selecting the Modern Juror*, TX, NY, IL, FL, NJ, PA, and MI CLE/CE, New York, NY (2016)
- *Even Grandma Uses Facebook! Principles of Evidence Presentation to the Modern Jury Panel*, TX, NY, IL, FL, NJ, PA, and MI CLE/CE, Detroit, MI (2016)
- *Predictive Analysis In Resolving Brain Injury Cases*, CLM Transportation Conference, Omaha, NE (2015)
- *Biomechanics and Admissibility of Restraint Use / Non-Use*, CLM, Houston, TX (2015)
- *The Case is Rigged: Oil and Gas Casualty Litigation*, TDI, Houston, TX (2015)
- *How to Crack Plaintiff's "Reptile Theory" during Jury Selection*, NY, NJ, TX CE/CLE, New Jersey (2014)
- *Biomechanics For Dummies (...I mean Lawyers)*, NY, NJ, TX CE/CLE, New York, NY (2014)
- *What is the Haygood Number?, Admissible Medical in Texas*, TDI, Houston, TX (2014)
- *New Approaches to the Collateral Source Rule*, NY, NJ, FL, and Texas CLE, New York, NY, (November 2013)
- *How to Level the Playing Field by Hiring the Right Expert*, NY, NJ, FL, and Texas CLE, New York, NY, (November 2013)
- *Ethical Considerations When Mediating the Catastrophic Injury Case*, TDI Richmond, VA (2013)
- *Is 'Loser Pays' A Model for Lawsuit Reform?*, TDI Richmond, VA (2013)
- *Evidence Preservation and Accident Reconstruction: A Primer for Attorneys and Claim Handlers*, Las Vegas, Nevada (March 2013)
- *The Biomechanics of the Low Impact Truck Crash*, Las Vegas, Nevada (March 2013)
- *The Courtroom v. The Conference Room: ADR Strategies in Advance of Trial*, Texas Department of Insurance, (March 2013)
- *Investigating, Evaluating and Defending the Trucking Accident Claim*, Thompson Coe's 11th Seminar on Texas Insurance Law Developments, (October 2012)
- *The Trucking Lawsuit: Plaintiff's Counsel's Perspective*, Texas Department of Insurance, Dallas, Texas (Oct. 2012)
- *The Defense Attorney's Playbook 2012*, Texas Department of Insurance, Southfield, Michigan (Oct. 2012)
- *Reconstructing the Low Delta V Crash*, Texas Insurance and Tort Law Update 2012 (March 2012)
- *Vicarious Liability: 23 Million Reasons to Pay Attention*, Captive Insurance Board of Directors Presentation, Cape Cod, Massachusetts (Sept. 2011)
- *Using Tomorrow's Technology to Investigate Today's Crash*, Captive Insurance Board of Directors Presentation, Nashville, Tennessee (Oct. 2011)
- *Investigating The Catastrophic Claim*, Texas Insurance and Tort Law Update 2011, Thompson Coe Houston Seminar
- *Presuit Investigation Techniques for the Wrongful Death and Catastrophic Injury Claim*, Texas South Chapter of the Association of Special Investigation

Units (2011)

- *Tweets, Status Updates, and Tags: Using Social Media in Presuit Investigations*, Texas Insurance Update, Texas Department of Insurance (2010)
- *2010: A Courtroom Odyssey, Effective Use of Technology at Trial*, Texas Insurance and Tort Law Update 2010, Thompson Coe Houston Seminar
- *Legislative Update 2010* to CPCU (2010)
- *Tort Law Update*, Texas Insurance and Tort Law Update 2009, Thompson Coe Houston Seminar (2009)
- *Best Practices Investigation: The Trucking Accident Claim*, Texas Insurance Update, Texas Department of Insurance, (2009)
- *Best Practices Investigation Following a Catastrophic Accident*, Texas Insurance Update, Texas Department of Insurance, (2008)
- *ECMs, SDMs, and RCMs: To Do or Not to Do: Downloading OnBoard Vehicle Diagnostics*, Texas Insurance Update, Texas Department of Insurance, (2008)
- *The Big Four Against the Big Three: The Predominant Allegations in Automotive Product Liability Litigation*, Prosecuting and Defending the Auto and Trucking Accident Case, State Bar of Texas, (2007)
- *What Do We Do Now? Investigating and Defending the Trucking Accident Case*, Texas Department of Insurance Continuing Legal Education (2007)
- *It's Been Four Years: Medical Liability After HB4*, Texas Department of Insurance Continuing Legal Education (2007)

## Professional Recognition

- Named 2014-2018 Super Lawyer by *Law & Politics* magazine.
- Named a 2010-2013 Super Lawyer - Rising Star by *Law & Politics* magazine.

## Publications

January 28, 2019

**Looking Forward to 2019 - "Texas-Sized" Verdicts in 2018**

April 18, 2018

**Texas Supreme Court Clarifies Plaintiff's Burden for Establishing Vicarious Liability**

8.29.2013

**New Approaches to Loss Allocation**

*For The Defense - August 2013*

July 5, 2011

**Texas Supreme Court Limits Evidence on Medical Expenses**

September 10, 2009

**Texas Insurance and Tort Law Update 2009: Tort Law Update**