



## **Elizabeth Z. Brabb**

Partner

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512-703-5095

Elizabeth Brabb is an attorney in the appellate and litigation sections, maintaining an active and diverse practice. She has represented many clients, from individuals and small businesses to Fortune 100 companies. Elizabeth believes that her strong writing and drafting skills give her clients an edge. She is experienced with all aspects of civil trial and appellate litigation in state and federal court, including fact investigation, case development, strategy, drafting and arguing motions, drafting merits briefs on appeal, and settlement.

Elizabeth focuses on product liability, trucking litigation, and commercial disputes as well as representing automakers in consumer lawsuits involving breach of warranty, lemon law, and deceptive trade practice claims.

### **Representative Experience**

#### **APPELLATE**

Represented financial services company, managing appeals process and handling all briefing, wherein Court of Appeals affirmed summary judgment pursuant to limitations defense.

*Knox Mediterranean Foods, Inc. v. Amtrust Financial Services*, No. 05-21-00296-CV, 2022 WL 2980705 (Tex. App.—Dallas July 28, 2022, no pet. h.)

Represented financial services company, managing appeals process and handling all briefing, obtaining reversal of the trial court's denial of our Motion to Dismiss under the Texas Citizens Participation Act. *MFG Fin., Inc. v. Hamlin*, No. 03-19-00716-CV, 2021 WL 2231256 (Tex. App.—Austin June 3, 2021, pet. denied)

Represented auto manufacturer, managing briefing and drafting significant portions, in an appeal of a wrongful death case. The trial court granted summary judgment in favor of the manufacturer based on the Texas statute of repose and choice of law analysis. The Dallas Court of Appeals affirmed the judgment. *Stevenson v. Ford Motor Co.*, 608 S.W.3d 109 (Tex. App.—Dallas 2020, no pet. h.)

Represented a law firm and attorney, handling briefing and presenting oral argument, in an appeal, and obtained reversal of the trial court's denial of our Motion to Dismiss under the Texas Citizens Participation Act.

Smith Robertson, L.L.P. v. Hamlin, 03-18-00754-CV, 2019 WL 3023304, (Tex. App.—Austin July 11, 2019)

Managed and drafted briefing in appeals around the country regarding general and specific personal jurisdiction.

#### PRODUCTS LIABILITY & MASS TORTS

Represented Fortune 50 companies in numerous product liability lawsuits.

Represented corporate defendant in products liability mass tort case pending in Florida Multi-District Litigation court.

Obtained summary judgments and dismissals of all defect claims for vehicle manufacturer pursuant to statute of repose.

Defended manufacturers of motor vehicles involved in accidents with catastrophic injury and loss of life.

Obtained summary judgment and dismissal of all defect claims for vehicle manufacturer pursuant to vehicle modifications and improper maintenance.

Obtained summary judgment and dismissal of all defect claims for vehicle manufacturer pursuant to economic loss rule.

#### CONSUMER LAW

Represented motor vehicle manufacturers and dealers in consumer, lemon law, and breach of warranty litigation.

Successfully managed over 100 settlements and dismissals of consumer, lemon law, and breach of warranty claims.

Reviewed and assessed dozens of indemnification requests by dealers for vehicle manufacturer.

#### GENERAL LIABILITY/CATASTROPHIC INJURY

Obtained exclusion of plaintiff's expert witness for national transportation company pursuant to Daubert challenge.

### Related Services

Appellate Litigation

General Liability/Catastrophic Injury

Products Liability & Mass Torts

## **Publications & Speaking Engagements**

Economic Loss Rule: Texas Update co-author  
State Bar of Texas, Damages in Civil Litigation CLE  
2017

Will Simon Tam and The Slants Bring an End to the Disparagement Provision Within Section 2(A) of the  
Lanham Act? One Rock Band's Fight for Free Speech  
69 Baylor L. Rev 194  
2017

## **Education, Admissions & Activities**

### **EDUCATION**

Baylor University School of Law  
J.D., magna cum laude, 2017  
Baylor Law Review, Executive Editor  
Order of the Barristers

Texas A&M University  
B.B.A., magna cum laude, 1995  
Marketing and Management

### **BAR ADMISSIONS**

Colorado  
2022

District of Columbia  
2019

Texas  
2017

### **COURT ADMISSIONS**

United States Supreme Court

United States Court of Appeals, Fifth Circuit

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

### **PROFESSIONAL AND COMMUNITY ACTIVITIES**

Austin Bar Association  
Civil Appellate Section Counsel

Supreme Court of Texas, Justice Phil Johnson  
Clerkship

Austin Bar Association

State Bar of Texas

Texas Supreme Court Historical Society

Texas Aggie Bar Association

Travis County Women Lawyers' Association