

## Rhonda J. Thompson

Partner

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Rhonda Thompson focuses on trial work on behalf of insurance carriers directly and on behalf of their policyholders.

Rhonda directly represents insurance carriers, both commercial and personal lines, in a variety of coverage-related litigation, bad faith cases, and carrier-to-carrier disputes. She regularly advises insurers on complex and unique coverage issues under commercial liability, auto, farm, and property policies as well as errors and omissions policies, directors and officers policies, and tenant and homeowners' policies. Rhonda is sought after to advise on complex business interruption and civil authority matters along with additional insured issues, shared defense and indemnity obligations, and contractual indemnity disputes, including litigating these issues on their behalf or on behalf of their policyholders.

Throughout her career, Rhonda has devoted a significant amount of time training insurance carriers and businesses on a wide range of topics, including claim litigation management, risk management, insurance coverage topics, and general claims handling.

### Representative Experience

Obtained federal court summary judgment on behalf of CGL carrier, upheld by Fifth Circuit Court of Appeals, successfully arguing no duty to defend against alleged violations of federal trademark infringement and related claims as personal and advertising injury.

Obtained directed verdict in federal commercial property insurance case with eventual take nothing judgment entered in favor of the insurance carrier with an award of taxable court costs.

Lead trial counsel for commercial property hail damage case that resulted in state court jury verdict sufficiently lower than a rejected statutory offer, and allowing for offset and zeroing out the damages and fees awarded.

Obtained defense verdicts after jury trial in numerous commercial and residential lawsuits seeking damages due to breach of contract and bad faith arising out of insurance property claims for hail and other weather events.

Obtained post-appraisal federal court summary judgment on behalf of surplus lines property insurer, dismissing all contractual and extra-contractual claims after payment of the appraisal award.

Obtained favorable rulings in relation to various plaintiffs' motions to remand based upon the fraudulent joinder of a state, resident insurance adjuster.

Obtained federal court summary judgment on behalf of property insurer on issue of lack of insurable and financial interest of mortgagee/lienholder not named on the policy.

Tried Hurricane Ike lawsuit through jury verdict resulting in amicable settlement during appeal process.

Represented insurers in judicial proceedings involving appraisal.

Obtained state summary judgment ruling on the applicability of Named Driver Exclusion in context of an uninsured/underinsured motorist claim.

Obtained federal court summary judgment on behalf of liability insurer on securities errors and omissions claim due to insured's failure to satisfy condition precedent to coverage.

Obtained state summary judgment ruling on behalf of liability insurer due to claimant's failure to meet requirements of the additional insured endorsement.

Obtained summary judgment in federal court on behalf of lawyers' professional liability insurer on issues related to whether legal services and covered damages were alleged or established.

Obtained summary judgment state court in favor of personal property insurers on the grounds that the claimant lacked standing to assert insurance code violations for failing to include general contractor's overhead and profit in replacement cost estimates.

Obtained summary judgment in federal court on behalf of personal liability insurer resulting in finding of no duty to defend or indemnify in case on basis of the absence of an occurrence.

Defended excess legal liability insurer in bad faith/declaratory judgment action by advancing the application of policy's retroactive date and resulting in insurer's settlement contribution well below policy limits.

Represented and advised various insurers in further investigating numerous personal and commercial property claims through conducting examinations under oath.

Represented and advised various personal and commercial property insurers regarding legal issues unique to policies' appraisal clause.

Obtained favorable summary judgment in property/bad faith lawsuit, resulting in dismissal of all bad faith claims and rendering the appraisal demand moot.

## **Awards & Recognition**

### **BEST LAWYERS IN AMERICA**

Lawyer of the Year list

2023

### **THE BEST LAWYERS IN AMERICA**

Listed for Insurance Litigation

2020-2023

### **TEXAS SUPER LAWYERS**

Listed for Insurance Coverage and Civil Litigation: Defense

2019-2022

### **SUPER LAWYERS - RISING STAR**

Insurance Coverage and Civil Litigation: Defense

2006-2007, 2009-2011

### **D MAGAZINE BEST LAWYERS IN DALLAS**

Listed for Insurance Law

2017

## **Related Services**

[Business and Commercial](#)

[Construction](#)

[General Liability/Catastrophic Injury](#)

[Insurance](#)

## **Publications & Speaking Engagements**

**Is Three Company or a Crowd: Conflicts and the Tripartite Relationship**

American Bar Association Women in Insurance Network

October 13, 2022

[Louisiana Appeals Court Revives COVID-19 Coverage Suit](#)

Jul 18, 2022

**First Party Property Claims: Current Trends and Case Law Update**

Advanced Insurance Law Conference

June 2022

**Insurance Retrospective**

Thompson Coe Webinar

2021

**COVID-19 & Insurance Disputes: Class Actions and MDL Efforts Spreading Across the Nation**

May 1, 2020

**Texas Supreme Court Recognizes Exception to Eight Corners Rule**

May 1, 2020

**Texas: Business Interruption Lawsuit Filed Over Pandemic Event Endorsement**

Apr 9, 2020

**Q&A From Insurance Coverage for COVID-19 Webinar**

Mar 27, 2020

**Business Interruption Update: Developing Law Arising Out of COVID-19**

CLM 2020 Focus Seminar

2020

**Emerging Issues: Civil Disorder and Insurance**

Thompson Coe Webinar

2020

**Emerging Risks: Insurance Coverage for COVID-19**

Thompson Coe Webinar

2020

**Property Conditions: Let's Tango**

CLM 2020 Focus Seminar

2020

**Storms Claims Litigation Update**

Advanced Insurance Law Update, Texas Bar CLE

2020

**Marijuana, CBD, Vaping: Smoking Out Insurance!**

Thompson Coe Webinar

2019

**Texas Appraisal Update: The Supreme Court Has Spoken**

Thompson Coe Webinar

2019

USAA v. Menchaca: Second Time Around

Apr 13, 2018

Fourth Court of Appeals Affirms Post-Appraisal Summary Judgment for Insurer

Dec 16, 2016

Coverage News: 2009, Issue 1

Dec 30, 2009

Lamar Homes, Inc. v. Mid Continent Casualty Company, 2005 WL 2432029 (5th Cir. Tex., Oct. 3, 2005)

Oct 15, 2005

How Many Times Can A Claim Be Denied?

Jul 1, 2003

Windstorm Claims, Litigation and Insurance Policy Coverage Update

Insurance Industry Panel Member

18th Annual Advanced Insurance Law Seminar, State Bar of Texas

October 1, 2021

## **Education, Admissions & Activities**

### EDUCATION

Baylor University School of Law

J.D., 2001

Order of Barristers

National Trial Competition Mock Trial Finalist

Mock Trial Best Overall Advocate

University of North Texas

M.Ed., 1993

Oklahoma State University

B.S., 1989

### BAR ADMISSIONS

New Mexico

2022

Texas

2001

## COURT ADMISSIONS

United States District Court of Texas

Northern, Southern, Eastern, Western

United States Court of Appeals

Fifth Circuit

## PROFESSIONAL AND COMMUNITY ACTIVITIES

New Mexico Women's Bar Association

New Mexico Defense Lawyers Association

Houston Bar Association

Dallas Bar Association

Judiciary Committee, Legal Ethics Committee and Bench Bar Conference Committee, 2018-present

Booker T. Washington High School Performing & Visual Arts

Theater Conservatory Board, 2016-present

Good Shepherd Episcopal School

Parent Organization Board, 2017-present

State Bar of Texas

Insurance and Litigation Sections

Claims and Litigation Management Alliance

Baylor Law School

Top Gun National Mock Trial Competition, Scoring Judge, 2013–2020