

Andrew J. McCluggage

Partner

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713-403-8246



Andy McCluggage is a trial lawyer. He has tried and arbitrated cases from West Texas to the Gulf Coast, as well as in the State's largest counties.

His practice focuses primarily on product liability, premises liability, commercial automobile, and industrial accident claims involving property damage, personal injury, and wrongful death. Andy also has a robust practice of construction defect, consumer law, and professional liability claims.

Andy has routinely been hired to "parachute" into existing litigation, occasionally after discovery has concluded or on the eve of trial, to guarantee the best possible chance of success for his clients.

Incident Response

From rapid response to the comprehensive investigation to the complex litigation, Andy is there for your business as a strategic advocate. He has a wealth of knowledge and valuable insight to manage the full spectrum of regulatory and legal duties that arise for your business after an accident. Our Incident Response and Investigation team has experience with all types of accidents, including fires and explosions, spills and chemical accidents, or any worker fatalities or injuries. We also assist clients with preparing for investigations by state and federal agencies, such as EPA, OSHA, CSB, NTSB, and PHMSA.

Products Liability

Andy has represented clients large and small in lawsuits involving allegations of defects (including design, manufacturing, and marketing) in automobiles and automobile components, tires, industrial equipment, construction equipment and components, oilfield equipment, and marine equipment.

Transportation

Andy's transportation practice extends from coast to coast, and includes representing local, regional, and long-haul trucking companies and their drivers in claims for personal injury, property damage, and wrongful death. Andy also has experience assisting trucking companies with DOT/FMCSA compliance issues and advising them before, during, and after DOT audits.

Energy

Andy's energy practice includes representation of well interest owners, petroleum services companies, product manufacturers, production crews, and other entities related to the energy sector. He has litigated claims involving premises liability, product defects, and general negligence for catastrophic injuries and death sustained both offshore and onshore involving platforms, vessels, rigs, and chemical refining and storage facilities. Many of the claims involve explosion litigation.

Restaurants, Residential, Employer Liability & Retail

Andy represents bar and restaurant owners in Dram Shop/Liquor Liability claims throughout Texas ranging from allegations of simple personal injury to multiple fatalities. He has successfully resolved dozens of Dram Shop cases despite catastrophic liability and damages facts. Andy has defended property owners, property management entities, and contractors involving a wide variety of premises liability claims, ranging from simple slip and falls to third-party criminal conduct cases. Andy has also represented facility owners, managers, and operators in a wide variety of accident claims, including those against employers for workplace negligence associated with non-subscriber programs.

Construction

Andy has represented contractors of all sizes in construction defect claims and has obtained favorable decisions from both Courts and Arbitration Panels in these cases.

Representative Experience

Obtained favorable jury verdicts in industrial accident and trucking lawsuits involving serious personal injury and wrongful death, including those involving aggravated liability facts coupled with admitted fault.

Trial and Arbitration experience in personal injury, consumer law, and construction defect actions.

Obtained Summary Judgment on behalf of large residential homebuilder in personal injury action. Affirmed on Appeal

Lonso v. Westin Homes Corporation, et al. 2016 WL 7234474 (Tex. App.—Houston [14th Dist.] December 13, 2016, no pet.)

Obtained denial of all claims from Arbitration Panel on behalf of subcontractor in construction defect arbitration seeking nearly \$2 Million in damages arising out of renovation work on a condominium complex

in Galveston, Texas.

Obtained Summary Judgment on behalf of international valve and fitting manufacturer in negligence and premises liability action.

Obtained Summary Judgment on behalf of Fortune 500 clothing retailer in premises liability action.

Represents national products manufacturers in catastrophic personal injury and wrongful death claims.

Represents major automobile parts retailer in premises liability, product liability, commercial automobile claims, and consumer law/DTPA claims.

Represents local and regional transportation companies in DOT audits.

Represents national, regional, and local transportation companies in personal injury and wrongful death claims.

Awards & Recognition

TEXAS SUPER LAWYERS - RISING STAR

Listed for Personal Injury - General: Defense, Civil Litigation: Defense
2013-2022

Related Services

General Liability/Catastrophic Injury

Products Liability & Mass Torts

Publications & Speaking Engagements

Texas Supreme Court Clarifies Plaintiff's Burden for Establishing Vicarious Liability
Apr 18, 2018

What happens when the claimant settles with the tortfeasor pre-suit?
May 15, 2015

Education, Admissions & Activities

EDUCATION

South Texas College of Law

J.D., magna cum laude, 2008

South Texas Law Review

Board of Advocates

Texas A&M University

B.A., 2005

History

BAR ADMISSIONS

Texas

2008

COURT ADMISSIONS

United States District Court of Texas

Southern, Eastern, Western

PROFESSIONAL AND COMMUNITY ACTIVITIES

Defense Research Institute

Trucking Law Committee, Regional Editor: DRI Trucking Law Compendium

Houston Bar Association

First Colony Little League Board Member