

Brian S. Martin

Partner

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713-403-8282



Brian Martin represents clients in insurance coverage matters. His extensive experience as an insurance coverage attorney includes trials and appeals of insurance matters, including general liability, environmental, toxic tort, construction, surplus lines, Director's & Officer's liability, and bad faith coverage cases. He handles coverage cases in jurisdictions across the United States. He also frequently testifies as an expert in insurance and bad faith cases.

Recognition

Brian is a former Chairman of the State Bar of Texas Insurance Section. He has received wide recognition and many awards in Insurance law. Brian has been named Best's Lawyer of the Year (2013), one of "Texas' Leading Insurance Attorneys" by Chambers USA (2003-2022); selected as one of "The Best Lawyers in America" in insurance law by Best's Insurance Guide (2006-2021); listed in "The Guide to the World's Leading Insurance and Reinsurance Lawyers" (2006-2012); identified in "Who's Who in Texas Insurance and Reinsurance" (2007-2013); identified in the International Who's Who Legal as among 500 of the World's leading insurance and reinsurance lawyers (2013-2014); recognized as one of Houston's Top Lawyers by H Texas Magazine; named one of Houston's Top 100 Attorneys by *Texas Monthly* (2011-2012); named a Top Attorney by Houstonia Magazine (2014-2017); received the 2008 Chambers Award for America's Leading Lawyers for Business; given the Client Choice Award in the 2014 and 2015 USA edition of the Client Choice Guide (chosen by clients); named a "Texas Super Lawyer" by *Law & Politics* magazine (2007-2017); a national "Super Lawyer" by *Corporate Counsel Magazine* and *The Wall Street Journal* (2009-2020); received the ACQ Country Award for Achievement (2009) and is AV-rated and designated "Preeminent" by Martindale-Hubbell. Brian is a Fellow of the American College of Coverage and Extracontractual Counsel.

Awards & Recognition

BEST LAWYERS IN AMERICA

Listed for Insurance Law

2006-2025

CHAMBERS USA

Ranked Band 1 for Insurance in Texas

2003-2024

INTERCONTINENTAL FINANCE MAGAZINE

Leading Lawyers 500

BEST LAWYERS IN AMERICA

Listed for Lawyer of the Year - Insurance Law

2013

MARTINDALE-HUBBELL

Top Rated Lawyer in Insurance Law

2013

THE GUIDE TO THE WORLD'S LEADING INSURANCE AND REINSURANCE LAWYERS

Leading Insurance and Reinsurance Lawyers

2006-2011

TEXAS SUPER LAWYERS

Listed for Insurance Coverage

2007-2023

WHO'S WHO

Texas Insurance and Reinsurance

2007-2011

CHAMBERS AWARD

America's Leading Lawyers for Business

2008

H TEXAS MAGAZINE

Listed for Houston's Top Lawyers

2008-2011

ACQ COUNTRY AWARD

Achievement in Insurance Law

2009

TEXAS MONTHLY

Listed as Houston's Top 100 Attorneys

2011

CORPORATE COUNSEL MAGAZINE

National Super Lawyer

2009-2011

MARTINDALE-HUBBELL

"AV" Peer Review Rated

2022

Related Services

Insurance

Publications & Speaking Engagements

Climate Change Litigation and Liability Insurance Claims

American College of Coverage Counsel

November 2019

ALI Restatement Seminar

United States District Court for the Southern District of Texas

February 2019

Long Tail Claims Update: 15th Annual Advanced Insurance Law Course

State Bar of Texas

June 2018

Timed Policy Limit Demands

Emerging Insurance Coverage and Allocation Issues Conference

April 2018

Legal Issues Arising out of Fracking

National Conference of Insurance Guaranty Funds Legal Conference

June 2017

Decades of Unexpected, Accidental and Wild Changes in Insurance Law Practice

21st Annual Insurance Law Institute, University of Texas School of Law

November 2016

Duties During Litigation

20th Annual Insurance Law Institute, University of Texas School of Law

November 2015

KABOOM!: Handling Explosion Claims, Texas Insurance and Tort Law Update

Apr 10, 2015

Once More Into the Breach: Will Fracking Usher in the Next Great Wave of Environmental Litigation?

Jan 1, 2015

Once More Into the Breach: Will Fracking Usher in the Next Great Wave of Environmental Litigation?

Journal of Texas Insurance Law

2015

KABOOM! Handling Explosion Claims

7th Annual Texas Insurance and Tort Law Update

April 2014

Vexing Insurance Litigation Challenges: Venue, Choice of Law and “Mixed” Coverage

South Texas College of Law

February 2014

Emerging Developments on the Construction Defect Horizon

DRI Insurance Coverage and Practice Symposium

December 2013

Rescuing the Mishandled Claim

18th Annual Insurance Law Institute, University of Texas School of Law

November 2013

The Good, The Bad & The Ugly: A Meditation on the Ethics of Claims Handling, Texas Insurance and Tort Law Update

Thompson Coe Houston Seminar

March 2013

Insurance Coverage Issues Involving Fracking

17th Annual Insurance Law Institute, University of Texas School of Law

October 2012

Who Pays And How Much?: Allocation Of Defense And Indemnity Costs Among Co-Insurers, Texas Insurance and Tort Law Update

Jun 14, 2012

What We Have is a Failure to Communicate: Untimely Notice of a Claim, Settlements Without the Insurer's Consent, and the Making Sense of the Prejudice Ruling

South Texas College of Law

January 2012

Ethics Jeopardy with Brian Martin, Christopher Martin and Ernest Martin

16th Annual Insurance Law Institute, University of Texas School of Law

November 2011

Triggering Excess Coverage by Exhaustion

16th Annual Insurance Law Institute, University of Texas School of Law

November 2011

Allocation and Trigger of Coverage, Texas Insurance and Tort Law Update

Thompson Coe Houston Seminar

April 2011

Divine Intervention? Is There a Prayer for Joint Settlement of Covered Claims in the Wake of Mid-Continent

v. Liberty Mutual and Trinity v. Employers Mutual

15th Annual Texas Insurance Law Symposium, South Texas College of Law

January 2011

Ask the Experts: Q&A with Brian Martin, Christopher Martin and Ernest Martin

15th Annual Insurance Law Institute, University of Texas School of Law

October 2010

Current Trends and Issues in Texas Trigger and Allocation

7th Annual Advanced Insurance Law Course, State Bar of Texas

April 2010

Reserving Rights and Denying Coverage

Texas Insurance and Tort Law Update 2010, Thompson Coe Houston Seminar

April 2010

Chipping Away at Mid-Continent: Trinity Universal Insurance Company v. Employers Mutual Casualty Company

State Bar of Texas and Insurance Section of the State Bar of Texas

February 2010

Allocation and Trigger of Coverage in Texas

14th Annual Texas Insurance Law Symposium, South Texas College of Law

January 2010

Trinity Universal Insurance Company v. Employers Mutual Casualty Company: The Reigning in of Mid-Continent v. Liberty Mutual

State Bar of Texas

January 2010

Chinese Drywall Claims

State Bar of Texas

December 2009

Three's Company, or Is It? The Tripartite Relationship and its Practical Problems

14th Annual Insurance Law Institute, University of Texas School of Law

October 2009

When the Policyholder Goes Belly Up: Coverage Disputes in Bankruptcy Court

14th Annual Insurance Law Institute, University of Texas School of Law

October 2009

The Changing Landscape: Allocation and Trigger Coverage in Texas, Texas Insurance and Tort Law Update

Thompson Coe Houston Seminar

September 2009

Allocation of Coverage, Advanced Insurance and Tort Claims

University of Houston Law Foundation

August 2009

Business Coverage Update

Insurance Law Section Annual Meeting and CLE, State Bar of Texas

June 2009

Business Insurance Policy Update

Business Law Course, University of Houston Law Foundation

June 2009

Developments in Allocation of Coverage

University of Houston Law Foundation

April 2009

Scope of Coverage After Mid-Continent and Don's Building

Sixth Annual Advanced Insurance Law Course, State Bar of Texas

April 2009

Update on Recent Texas Supreme Court Insurance Decisions

Sixth Annual Spring CLE Seminar, Houston Paralegal Association

April 2009

Business Policies in Dangerous Times: The Provisions You Should Know About

University of Houston Law Foundation, Advising Businesses in a Troubled Economy

January 2009

Inter-Carrier Relationships After Mid-Continent v. Liberty Mutual

13th Annual Texas Insurance Law Symposium, South Texas College of Law

January 2009

The Dangers of Mid-Continent v. Liberty Mutual

Inaugural Presentation of the South Texas Insurance Forum of the Gulf Coast Insurance Coverage Group
October 2008

The New Carrier-Insured-Carrier Relationship: The Problem of Multiple Carrier Sharing After Mid-Continent v. Liberty Mutual

University of Texas School of Law 13th Annual Insurance Law Institute
October 2008

Triple Play: Three New Texas Supreme Court Insurance Decisions

State Bar of Texas
September 2008

The Changing Landscape: Allocation and Trigger Coverage in Texas,

Advanced Insurance and Tort Claims, University of Houston
June 2008

The Status of "Trigger of Coverage" in Texas

Fifth Annual Advanced Insurance Law Course, State Bar of Texas
March 2008

Who Pays? Allocation Issues in Insurance

University of Houston Law Foundation
June 2007

Allocation of Coverage, Triggers and Their Effect on Both Claimants and Insurers, Advanced Insurance and Tort Claims Course

University of Houston Law Foundation
March 2007

Intent, Negligence and Public Policy: Who Do Carriers Pay Punitive Damages?

Fourth Annual Advanced Insurance Law Course, State Bar of Texas
March 2007

Reservation of Rights and Waiver/Estoppel Issues

Texas Insurance Law Symposium
January 2007

Preparation and Strategy Considerations in Filing and Prosecuting Coverage Litigation

Dec 6, 2006

Setting the Chess Pieces: Preparation and Strategy Considerations in Filing and Prosecuting Coverage Litigation

11th Annual Insurance Law Institute, University of Texas School of Law
December 2006

The Rubic's Cube: Allocation of Coverage

Oct 12, 2006

What Do I Pay?: Allocation of Coverage and its Effect on Both Claimants and Insurers

Advanced Insurance and Tort Claims, University of Houston Law Foundation

June 2006

How Many Ways Can you Define Allocation?

Third Annual Insurance Law Course, State Bar of Texas

March 2006

Common Issues in Coverage Litigation

University of Houston Insurance Law for Attorneys Representing Insurers

October 2005

Insurance/Litigation, Including Overhaul of Workers' Comp and asbestos/Silica

State Bar of Texas, Legislative Update

August 2005

Environmental Insurance Litigation

A State By State Case Law Survey

May 2005

Post Judgment and Gandy Issues: Proving Indemnity

Second Annual Advanced Insurance Law Course, State Bar of Texas

April 2005

Offers of Settlement Under House Bill 4: A Primer

Texas Insurance Law Symposium

February 2005

Legislative Update on Insurance

Journal of Texas Insurance Law

2005

The Duty to Defend in Transition – A Mock Summary Judgment Argument

9th Annual Insurance Law Institute, University of Texas School of Law

November 2004

Challenging Experts: The Protocol Use of Robinson/Daubert

1st Annual Advanced Insurance Law Course, State Bar of Texas

April 2004

Texas Legislative Update: A Walk Through House Bill 4

University of Houston Advanced Personal Injury and Insurance Law

April 2004

Trying the Big Insurance Case

Texas Insurance Law Symposium

January 2004

Legislative Update: Insurance

State Bar of Texas

September 2003

Reservation of Rights: The Insurance Company's Perspective

University of Houston Law Foundation

2003

Commercial Insurance: Boom or Bust? and Occurrences - What, When and How Many?

Texas Insurance Law Symposium

January 2002

Coverage for Intentional Acts

6th Annual Insurance Law Conference, University of Texas School of Law

2001

Insurance and Bankruptcy

Tort and Insurance Law Journal

2001

Concurrent Litigation

5th Annual Insurance Law Conference, University of Texas Law School

2000

Fee Controls and Legal Audits: An Essay on Practical Due Process for Lawyers

Journal of Texas Insurance Law

2000

Audits of Law Firm Bills: The Issues Inside and Out

Insurance Litigation Reporter

July 1999

Auditing Attorneys Fees

Texas Insurance Law Symposia, South Texas College of Law

1999

Missing Pieces: Trigger and Allocation in Texas

4th Annual Insurance Law Conference, University of Texas School of Law

1999

Environmental Liability Coverage

National Association of Environmental Law Societies, Thurgood Marshal School of Law
April 1998

Bad Faith Litigation

University of Houston Law Center Advanced Civil Litigation Seminars
1998

Bad Faith: Hot Spots and Hot Topics

ABA Insurance Coverage Litigation Section Midyear Meetings
1998

Liability Coverage: The Duty to Defend in Texas

Texas Insurance Law Symposium, South Texas College of Law
1998

Claims Adjustment: Texas Insurance Code Hazards

Austin Claims Association Program
1997

Lender Liability: Drafting to Avoid It, Real Estate Documents

Workouts and Closings Seminar, University of Houston Law Center
March 1991

New Property Attributes in Electronic Information

Co-author, Computer and Information Technology Law Institute, University of Texas School of Law

Education, Admissions & Activities

EDUCATION

University of Texas School of Law
J.D., 1987

University of Texas at Austin

B.A., cum laude, 1984

BAR ADMISSIONS

Texas

1987

COURT ADMISSIONS

United States District Court of Texas

Northern, Southern, Eastern, Western

United States Court of Appeals

Fifth, Sixth, Ninth and Eleventh Federal Circuits

PROFESSIONAL AND COMMUNITY ACTIVITIES

State Bar of Texas

Chairman, 2008-2009; Chair-Elect, 2007-2008; Secretary, 2006-2007; Treasurer, 2005-2006; Council Member, 2001-2005; Chairman of the Reinsurance Committee, 2000-2002; Mentor Committee, 1998-1999

American College of Coverage and Extracontractual Counsel

Fellow

State Bar College

American Bar Association

Insurance Coverage Litigation Section, Subcommittees on Products Liability and Bad Faith

Insurance Journal magazine

Columnist, 2001-2014

LexisNexis' Texas Annotated Insurance Code

Contributing Editor, 2007-2013

State Bar of Texas 7th Annual Advanced Insurance Law Course

Course Director, 201

Texas Lawyer magazine's Smart Litigator Online

Board Member and Contributor

Claims and Litigation Management Alliance