THOMPSON
COE



Neal Kieval

Senior Counsel

nkieval@thompsoncoe.com

713-403-8216

Neal Kieval has considerable experience in appellate, coverage, and general litigation matters including a 10-year stint at the Fourteenth Court of Appeals where he served as a briefing attorney and staff attorney and handled the Court's original proceeding docket. Neal's court service included assisting in drafting over 90 published judicial opinions in civil cases, in addition to over 100 unpublished judicial opinions in both civil and criminal cases. Neal is proud of the impact some of his work at the Court had on Texas jurisprudence and of the long-lasting relationships he formed there.

The main focus of Neal's private practice has been on appeals and insurance coverage matters, including drafting appellate briefs and motions, coverage opinions, denial and/or reservation of rights letters, and/or responses to tenders on behalf of general liability or commercial auto carriers. He has handled more than forty appeals and drafted nearly 150 coverage opinions, denial and ROR letters, and/or responses to *Stowers* demands or tenders. He also has extensive experience in general litigation matters researching, writing and arguing dispositive and procedural motions and jury instructions, and handling discovery.

Clients recognize that they can rely on Neal's experience, knowing that he will not only work hard, but efficiently, to find the right answer and craft the right legal argument on their behalf. They also know he will always give them a straight answer when the circumstances dictate. Client's appreciate Neal's detailed and methodical approach to solving the myriad of legal issues that confront them, especially involving complicated appellate and coverage issues.

Representative Experience

Obtained mandamus relief for car dealer to obtain discovery of settlement agreements for purposes of establishing settlement credit (2000).

Secured affirmance of take-nothing judgment on jury verdict in favor of city contractor where plaintiff minority subcontractor alleged improper jury argument by defense counsel (2001).

Obtained reversal of judgment in favor of product seller and rendition in favor of product liability manufacturer where the seller waived its right to statutory indemnity by executing a verdict-sharing agreement to pay a portion of prior high-low settlement with the plaintiffs (2001).

Obtained reversal of punitive damages award in favor of plaintiff and rendition in favor of department store in Texas Supreme Court on false imprisonment/malicious prosecution case (2004).

Obtained reversal of a $300,000 judgment and rendition in favor of grocery store in premises liability case (2009).

Obtained reversal of $150,000 judgment in favor of plaintiff and rendition in favor on oilfield services company on participatory fraud claim arising out of competitive bid (2012).

Obtained mandamus relief for property insurance carrier enforcing policy forum selection clause (2013).

Obtained summary judgment in federal district court in favor of insurance broker on multiple business torts brought by competing broker arising out of former employee's non-compete agreement (2015).

Secured affirmance of take-nothing judgment on jury verdict in favor of elevator company on plaintiff's negligence claim under a res ipsa loquitor theory (2016).

Related Services

Publications & Speaking Engagements

A Turkey's Guide to Mandamus (An Expose of Mandamuses for Ignoramuses)
HBA Appellate Practice Session
1999

Education, Admissions & Activities

EDUCATION

University of Houston Law Center
J.D., 1989

University of Texas at Austin
B.A., 1982
Psychology

BAR ADMISSIONS

Texas

1991

COURT ADMISSIONS

United States Court of Appeals, Fifth Circuit

PROFESSIONAL AND COMMUNITY ACTIVITIES

Texas State Bar
Appellate and Insurance Coverage sections

Houston Bar Association

Texas Association of Defense Counsel