

## JAMES CHRISMAN PHILLIPS

### *Litigation Practice Group - Chair*

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Chris Phillips has tried cases before judges and juries in state and federal courts for over thirty-five years. In addition to maintaining his active litigation practice, Chris is also an experienced arbitrator and mediator. As head of the firm's Litigation Section, Chris' combination of over three decades of broad-based commercial, construction and employment litigation experience and over twenty years' alternative dispute resolution experience affords an invaluable background from which he and his Section regularly assist public and private clients to avoid disputes before they arise and to expeditiously resolve those disputes that do arise as favorably and as cost-effectively as possible.



### AREAS OF PRACTICE

- Litigation
- Business Services

### REPRESENTATIVE EXPERIENCE

- Represented a local computer peripheral manufacturer in prosecuting a claim for breach of a patent license
- Represented an area savings & loan in investigating and initiating a Civil RICO action against former officers and directors
- Represented a director of an area bank in defending D&O liability claims brought by the FDIC
- Sued a Fortune 50 company on behalf of a number of area municipalities and water supply corporations for damages resulting from the company's manufacture and distribution of faulty water service tubing
- Represented an area MUD in defending claims by developers relating to refund contracts
- Represented a local computer peripheral manufacturer against a local computer manufacturer for defective design of a specialized computer chip
- Represented a national insurance company in a series of sexual harassment/sex discrimination claims
- Represented an area Water Supply Corporation in a multi-party suit over cost of operating and maintaining jointly-owned water treatment and distribution facilities
- Represented a Texas river authority regarding claims arising out of the renovation of a wastewater treatment plant
- Represented a Texas lignite mine in defense of a wrongful termination/race discrimination claim
- Represented a publicly traded security company in a breach of employment contract/stock purchase agreement action brought by former employee
- Represented an area geotechnical engineering firm in defense claims of negligent misrepresentation of subsurface soil conditions
- Represented a number of area municipalities as amicus curiae in defense of a Fair Housing Act claim brought against a sister city
- Represented the electrical and HVAC subcontractors in multiparty suit claiming negligent construction of an area penal facility
- Represented an area masonry contractor in a multi-party suit related to water intrusion into an area church
- Represented a municipality in a dispute with its neighboring municipality in a dispute over water service obligations
- Represented a large group of independent school districts around the state in claims related to the premature demise of a self-funded health care program

- Represented an out-of-state life insurance company in a dispute over claims related to the premature demise of a self-funded employee insurance program
- Represented an area business on claims against a railroad for flood damages arising out of the railroad's alteration of the natural flow of storm water in its adjacent right-of-way

#### **PROFESSIONAL LICENSES AND EDUCATION**

- Admitted to State Bar of Texas (1973)
- A.B., cum laude, Harvard University (1970)
- J.D., with honors University of Texas School of Law (1973; Associate Editor, Texas Law Review; Chancellor; Order of the Coif.)
- Admitted to U. S. Supreme Court, U.S. Court of Appeals, Fifth Circuit, U.S. District Courts for Western, Eastern, Northern, and Southern Districts of Texas
- Panelist, American Arbitration Association (Commercial and Construction panels)

#### **PROFESSIONAL ASSOCIATIONS AND MEMBERSHIPS**

- Life Fellow, Texas Bar Foundation
  - Fellow Austin Bar Foundation
  - 1983 to 1987– Board member, Central Texas Legal Aid and Defender Society (President, 1986-87)
  - 1995 to 2011 –Trustee, St. Stephen's Episcopal School, Austin, Texas (2002 to Present—Chancellor)
  - 2007 to present – Member, Executive Committee, Austin Bar Association ADR Section (2009-Present – Chair/Co-Chair)
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