

Litigation

For more than a century, Andrews Kurth lawyers have combined legal skill, business experience and aggressive advocacy to achieve our clients' litigation objectives. Backed by a proven record of success at trial, our lawyers are respected for their professional demeanor, their skills in the courtroom and their integrity as advocates. A successful litigation practice isn't only about dramatic victories at trial, however; its underpinnings are derived from a total commitment to obtaining the best and most effective resolution to a client's litigation problems — both inside and outside the courtroom.

The more than 100 lawyers in our litigation section provide high-quality and efficient representation to clients in disputes. We work closely with clients to achieve the best results while keeping our eye on the budget and finding innovative ways to reduce cost. Although we have the experience and bench strength to handle large, complex litigation matters, we are known for not overstaffing cases or "over lawyering" projects. While we are always mindful of the advantages of early mediation and arbitration, when trial is necessary we prepare the case and try it to verdict. And we do it with some of the finest trial lawyers in the country.

Our litigators are included in the ranks of *The American College of Trial Lawyers*, *The International Academy of Trial Lawyers*, *The Best Lawyers in America* (Commercial, Tort, Medical Malpractice, Bankruptcy, Personal Injury and Civil Litigation), and *Who's Who in American Law*. The following are some of the key areas in which we focus.

Antitrust — protecting client rights

We have the resources to litigate any antitrust matter — whether the forum is a courtroom or a government agency hearing, whether the dispute involves defending clients against alleged anticompetitive conduct or asserting their rights against the unfair conduct of others. We are also experienced in counseling clients to avoid antitrust problems at the inception.

Appellate — arguing our client's position effectively

From the appellate courts in Texas to the U.S. Supreme Court in Washington, DC, Andrews Kurth litigators have extensive experience representing clients in a full spectrum of civil and criminal appeals. Because of the highly specialized nature of this practice, a number of our lawyers have focused exclusively on appellate matters and are highly skilled in preservation of error issues, briefing and arguing cases on appeal. For more information on our appellate strengths, [click here](#).

Alternative dispute resolution — resolving disputes outside the courtroom

While Andrews Kurth lawyers have a proven record of courtroom success, we also routinely use arbitration, mediation, moderated settlement and other forms of alternative dispute resolution (ADR) to achieve our clients' goals.

Bankruptcy — achieving practical results

Our Firm's first case in 1902 was a bankruptcy litigation matter. And representation in contested proceedings in bankruptcy courts throughout the nation continues as a significant component of our litigation practice today. We realize that the real goal in bankruptcy is getting paid if you're a creditor, or staying in business if you're a debtor. Consequently, we know when our clients should continue the fight and when to settle at the time of greatest advantage.

Class actions — knowing the landscape

We have extensive experience in class action litigation in both state and federal courts, and have successfully defeated class certification at the inception of the lawsuit, as well as at the appellate level in a wide variety of cases.

Construction — working with all sides

Developers, contractors, insurers, tenants, buyers and sellers have all turned to us for assistance in litigation arising from both residential and commercial construction lawsuits. Because of this broad background, we have the experience to handle any aspect of a construction dispute.

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Corporate and Securities — responding to governance and fraud allegations

As corporate governance and compliance continue to dominate the legal and business landscape, our lawyers provide fast and effective defense to businesses, officers and boards of directors facing a wide variety of disputes, including shareholder proceedings, class actions, and alleged business torts, as well as governmental agency investigations. We also have wide experience in litigation arising from contested mergers and acquisitions, including proxy fights, injunctive proceedings and defense against shareholder strike suits.

Employment — representing employers

Our labor and employment lawyers are highly skilled in counseling employers on employee issues, but when employee litigation becomes unavoidable, Andrews Kurth litigators have the experience to resolve the full range of employment disputes. We represent employers in cases involving racial, religious, age, national origin and sexual discrimination claims; ADA claims; sexual harassment; wage claims; breach of employment contract; breach of non-competition and non-solicitation agreements; worker's compensation retaliation and employee benefits.

Energy — knowing the industry knowledge works to our clients' advantage

Representation of clients in the energy industry has been a mainstay of Andrews Kurth since its inception over 100 years ago. In the energy context, we have experience handling disputes involving oil and gas leases, royalty payments, landowner complaints, environmental contamination, and other alleged toxic torts, pipeline and plant disasters, breach of contract, business torts, intellectual property rights, employment and regulatory issues.

General Commercial — keeping business running

As commercial transactions have grown in number and complexity, disputes surrounding those transactions have expanded accordingly. Our trial lawyers have extensive experience handling these disputes, whether they arise from complex international contracts or standard commercial transactions governed by the UCC.

Insurance — resolving coverage disputes

Our lawyers have represented clients in insurance disputes involving matters as widely ranging as directors and officers' liability, alleged violations of the securities acts, toxic tort and environmental issues, oil and gas production, and health care issues. We have assisted both policyholders and insurance carriers in resolving coverage disputes.

Intellectual Property — protecting valuable assets

Our clients' intellectual property is often their most valuable asset. We are regularly called upon to protect the IP rights of our clients through litigation. We routinely handle disputes related to patents, trademarks, trade secrets and copyrights in federal and state trial and appellate courts as well as before the U.S. Patent and Trademark Office and other government bodies. We also represent clients in cases involving unfair competition, false advertising, covenants not to compete, technology and software licensing, Internet, e-commerce and other technology-related disputes.

Managed-care and ERISA — offering all-inclusive counsel

Andrews Kurth represents insurers, preferred providers and HMOs, medical associations, physician groups, plan administrators, employers, trustees, fiduciaries and claims administrators in all aspects of managed care and ERISA litigation. Typical issues involve benefits disputes, bad faith claims and professional liability claims.

Probate and Fiduciary — prosecuting and defending will contests, estate controversies and fiduciary issues

Our lawyers are experienced in matters involving disputes relating to the probate of wills, administration of estates, breaches of fiduciary duty, trust modification, and trust and will construction.

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Products liability — defending personal injury and wrongful death claims

We defend both insured and self-insured clients in personal injury and wrongful death claims. Our clients include major chemical companies, machinery manufacturers, oil field equipment suppliers, defense contractors, petroleum refiners, motor carriers, and manufacturers of automobiles and commercial and military aircraft, as well as component parts suppliers.

Professional liability — protecting service providers at risk

Our trial lawyers frequently defend malpractice claims asserted against a wide variety of professionals, including physicians and other health care providers, accountants, architects, engineers and lawyers.

Real estate — resolving financial and liability disputes

Andrews Kurth has represented lenders, landlords, property owners, developers, brokers and tenants in a wide range of real estate and real estate financing litigation, including suits involving breach of lending commitments, property owner and occupier liability, foreclosures and landlord/tenant disputes. In addition, we have extensive experience in condemnation proceedings and related litigation, and focus on obtaining maximum value for our clients' property.

Tax — disputes with the Internal Revenue Service relating to income, estate, inheritance and generation skipping tax disputes

Our lawyers have extensive experience in tax collection and assessment disputes with the IRS and routinely handle tax issues before the U.S. Tax Court, Federal District Courts and Office of Appeals.

Toxic torts — contesting injury and damage claims

Many of our trial lawyers have focused their practice on defending major corporations against personal injury and property damage claims alleging exposure to hazardous chemicals and other materials, as well as against regulatory actions by governmental agencies such as the EPA and OSHA. Our lawyers have defended tens of thousands of individual claims seeking damages related to alleged exposure to asbestos, benzene, butadiene, styrene and free silica.

White collar criminal defense — when the government calls

Andrews Kurth has extensive experience handling white collar criminal defense matters for both individual and corporate clients. Our trial lawyers have tried white collar cases in state and federal courts, represented clients in white collar investigations by state and federal authorities, and conducted internal investigations for companies responding to reports of criminal wrongdoing. In the last two years alone, the firm has handled white collar matters involving allegations of health care fraud, tax fraud, commodities fraud, environmental crimes, the Foreign Corrupt Practices Act, public corruption, government contracting fraud and bankruptcy fraud.

In today's adversarial society, lawsuits are inevitable for any business. As a plaintiff or defendant, you want trial lawyers who understand your business and know how to achieve the best possible outcome. Andrews Kurth trial and appellate lawyers give you fast action and the answers you need.

We know the way our clients' companies work, see the critical issues at stake when problems arise, pursue the best strategy to resolve them — and always offer straight talk that demonstrates respect for your time, intelligence and money.