



Werner A. Powers

Partner

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PRACTICES Litigation, Insurance Recovery

Werner Powers helped pioneer Texas representation of corporate policyholders in high stakes litigation against the Insurance Industry, and he has successfully represented policyholders before the United States Supreme Court, the Texas Supreme Court, and trial courts throughout the state. Today he is a senior trial partner with a national practice that covers a broad spectrum of litigation from Insurance and antitrust to securities and intellectual property.

Werner's practice took flight after he rescued Margaret Hunt Hill and the Hunt Trusts from a \$100 million judgment by successfully suing both domestic and alien insurance carriers for coverage in state court, federal court, and, eventually, in the United States Supreme Court. At about the same time, a Dallas based, publically traded oil and gas company came to Werner after the company made national news, suffering one of the larger adverse judgments ever entered by a Dallas court. Werner again fought for coverage and won. Werner has prevailed on environmental claims representing a multinational manufacturer, wrongful death claims representing a national pipe line company, business interruption claims representing a national paint manufacturer, D&O claims representing a world-wide telecommunications company, patent and intellectual property claims representing a multinational oil and gas service company, and fraud claims involving company owned life insurance purchased by a national retailer.

Examples of Werner's clients representations across the U.S. include: When Adams Golf asked him to sue an insurer in Chicago, Werner won summary judgment on the contract and settled for substantially more than policy limits on the eve of trial. In New York, he helped a major oil and gas company settle a securities class action entirely with insurance. New York is also where Werner currently represents a hedge fund battling for coverage under a portfolio policy.

Werner's client representation extends internationally. When the Canadian Olympic Association did not collect on a phantom policy that insured a failed multi-million dollar lottery held to fund Toronto's bid to host the Olympics, Werner helped his clients collect. Investors in Germany, France, Italy and Switzerland swindled by a foreign real estate promoter asked Werner to help them save their Texas investment. He successfully sued a title insurance company on behalf of his clients.

After founding the Haynes and Boone Insurance Practice Group more than 25 years ago, Werner expanded his trial practice beyond insurance to include a broad range of litigation, including: Successfully represented the owner of Barney the Dinosaur in a copyright battle that started after Barney made Forbes' list of the country's highest paid entertainers; Won a large securities fraud verdict for Dutch investors in a Texas milk farm; Secured a verdict for a power plant developer betrayed by its president

who had taken a corporate opportunity in Indonesia as his own; Prevailed in a RICO case brought by a former CFO who said he refused to falsify financials for his corporate employer. Werner has reached high profile settlements with one of the largest U.S. advertising agencies for a minority shareholder who claimed he was wrongfully squeezed out, and he has represented an investor in a failed ethanol plant that resulted in a settlement paid by a major German conglomerate.

Werner was lead trial counsel in a multi-billion dollar fraudulent transfer case involving Verizon's spin-off of its Yellow Pages business.

Werner has represented a number of private equity firms concerning insurance disputes in Texas, New York, Alabama, and Ohio.

Werner is regularly called upon to speak and write on a varied number of topics in the area of trial practice and insurance.

QUALIFICATIONS

EDUCATION

- J.D., University of Texas School of Law, 1976, with honors; Order of the Coif and Moot Court
- B.A., Southern Methodist University, 1973, with honors

ADMISSIONS

- Texas
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PROFESSIONAL AFFILIATIONS AND ENGAGEMENTS

- American Bar Association
 - Former co-chair of the ABA Section on Bad Faith Insurance Litigation
 - State Bar of Texas
 - Dallas Bar Association
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SELECTED CLIENT REPRESENTATIONS

- Insurance counsel for Anadarko in resolution of class action securities case in S.D.N.Y.
 - Trial counsel for Adams Golf on director and officers insurance claims.
 - Trial counsel and argued before U.S. Supreme Court for Margaret Hill and Hunt Trusts in successful prosecution of coverage case involving more than \$100 million in bonding obligations.
 - Secured major policyholder decision for Southwestern Bell in the Texas Supreme Court, reversing both lower court decisions.
 - Trial counsel for the Canadian Olympic Association resulting in settlement against insurance carrier.
 - Trial counsel in litigation involving coverage related to: Employment-related claims; sexual abuse claims; securities claims; explosion and business interruption claims; nursing home wrongful death claims; environmental superfund clean-up and property damage claims; toxic tort claims; contingency policies; and claims against directors and officers.
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AWARDS AND RECOGNITION

- Recognized in *The Best Lawyers in America*, Woodward/White, Inc., for Insurance Law (2007-2022)
- Recognized by *Chambers USA*, Chambers and Partners, as one of the leading practitioners in Texas for Insurance (2009-2021)
- Recognized as a *Texas Super Lawyer*, Thomson Reuters - Insurance Coverage, General Litigation, Class Action/Mass Torts (2013-2019)
- *Martindale Hubbell Law Directory* with a Peer Review Rating of AV Preeminent