Adam H. Sencenbaugh

Partner

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Austin | San Antonio
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PRACTICES Labor and Employment, Environmental, Litigation, Environmental Litigation, Trade Secret Litigation, Intellectual Property Litigation, Government and Public Policy, Government Contracts, Federal Assistance: Grants and Cooperative Agreements, Employment Litigation, Wage and Hour Litigation

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Adam serves as a trusted advisor and zealous advocate for his clients. He has tried more than 20 cases to jury verdict. Adam's environmental practice focuses on representing clients in CERCLA, TSWDA, and related environmental enforcement matters in state and federal courts throughout the country.

Adam is board certified in labor and employment law by the Texas Board of Legal Specialization. He advises clients navigating a wide range of employment law issues, including compliance with Title VII, § 1981, ADA, ADEA, FMLA, and FLSA. Adam's employment litigation practice is focused on defending clients against myriad employment-related claims, including theft of trade secrets, restrictive covenants, retaliation, discrimination, harassment, and wrongful discharge.

Adam also served as co-counsel for a coalition of 88 school districts in a lawsuit challenging the constitutionality of the state's current school finance system. This lawsuit, which was tried over the course of 16 weeks, culminated in a 382-page decision holding Texas's school finance system unconstitutional on all of the grounds asserted by Haynes and Boone's clients.

While working at Haynes Boone, Adam served as a volunteer prosecutor for the city of Houston, where he prosecuted thousands of misdemeanor cases for the state of Texas. Prior to joining the firm, Adam completed a federal district court clerkship and served as an intern in the United States Attorney's Office for the Western District of Texas in Austin.

Adam was selected for inclusion in *Texas Super Lawyers Rising Stars*, Thomson Reuters, for Employment Defense Litigation and Environmental Defense Litigation, 2015; and Business Litigation, 2014-2021, recognized as a Labor and Employment Star by *Benchmark Litigation*, Euromoney Institutional Investor PLC, 2021, *Best Lawyers in America,* Woodward/White, Inc., for Litigation - Environmental, 2024 and in Austin's Top Attorneys, *Austin Monthly*, Open Sky Media, 2021-2023.

QUALIFICATIONS

EDUCATION

- J.D., The University of Texas School of Law, 2007, *with honors*; Order of the Coif; *Texas Law Review*

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- B.A., University of Southern Mississippi, 2003, *summa cum laude*

CLERKSHIPS

- Law Clerk, Hon. Keith Starrett, United States District Judge, Southern District of Mississippi, 2007-2008

ADMISSIONS

- Mississippi
- Texas

COURT ADMISSIONS

- U.S. Court of Appeals for the Fifth Circuit
- U.S. District Court for the Eastern District of Texas
- U.S. District Court for the Northern District of Texas
- U.S. District Court for the Southern District of Texas
- U.S. District Court for the Western District of Texas
- U.S. District Court for the Northern District of Mississippi
- U.S. District Court for the Southern District of Mississippi

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PUBLICATIONS AND SPEAKING ENGAGEMENTS

- “Ethical Issues in Hiring Decisions and Legal Issues Using AI,” “The Federalization of Employee Restrictive Covenants,” presenter, Employment Law Updates, San Antonio, TX, May 9, 2023.
- “Ethical Issues in Hiring Decisions and Legal Issues Using AI,” “The New Landscape with Non-Compete Provisions,” presenter, Employment Law Updates, Houston, TX, April 27, 2023.
- “Ethical Issues in Hiring Decisions and Legal Issues Using AI,” presenter, Employment Law Updates, Dallas, TX, April 4, 2023.
- “Texas Environmental Law,” co-author, Volumes 45-46, Chapter 37 COVID-19 Response Planning and Management, Thomson Reuters, 2020-2021.
- “Administrative Challenges and Appeals,” speaker, UT Law CLE, 14th Annual Advanced Texas Administrative Law Seminar, Austin, Texas, August 16, 2019.
- "A Company's #MeToo Moment," co-author, *Texas Lawyer*, April 1, 2018.
- “Attorneys React to DOL Misclassification Guidance,” author, *Law360*, July 16, 2015.
- “EEOC Litigation Update from the Inside,” presenter, Haynes and Boone Seminar, June 4, 2015.
- “The Government is Watching: Current EEOC Litigation Priorities and Enforcement Strategies,” presenter, North San Antonio Chamber of Commerce, March 3, 2015.
- “For Whom the Whistle Blows: Avoiding Retaliation and Whistleblower Claims,” presenter, Greater Houston Partnership, March 1, 2014.
- "Is the Price Right: Medical Damages in Texas in the Wake of *Haygood v. de Escabedo*," presenter, Lloyd Lochridge Inn of the American Inns of Court, March 2012.
- "Annual Review of Litigation, Chapter 3: Appellate Practice," contributor, American Bar Association Section of Business Law, April 2011.
- "American Law and Jurisprudence on Fracing," contributor, *Rocky Mountain Mineral Law Foundation Journal*, Vol. 47, No. 2, 2010.

PROFESSIONAL AFFILIATIONS AND ENGAGEMENTS

- Equal Employment Opportunity Committee, American Bar Association
- Fellow, Texas Bar Foundation

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- Director, Civil Litigation Section of Austin Bar Association
- Austin Young Lawyers Association
- Federal Bar Association
- American Inns of Court - Lloyd Lochridge Inn
- Young Leader, United Way of Greater Austin

SELECTED CLIENT REPRESENTATIONS

- Won injunctive relief against Republic of Albania in federal court regarding production sharing contract on behalf of Texas-based oil and gas company.
- Represented two major energy companies in appeal of TCEQ Administrative Order to remediate Texas state Superfund Site.
- Won summary judgment for national trucking company against discrimination and retaliation claims under Title VII.
- Obtained set-aside of default judgment taken against out-of-state commercial real estate developer.
- Defended national movie theater chain in wage and hour cases alleging violations of the Fair Labor Standards Act.
- Prevailed in two-week trial before the State Office of Administrative Hearings regarding protest of Class I Underground Injection Control (UIC) permit application.
- Advised and represented clients on Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) issues in federal court.
- Defended multiple clients during EEOC investigations and litigation involving Title VII discrimination claims.
- Prevented disclosure of client trade secrets and confidential information for numerous clients contracting with state and federal government agencies.
- Represented numerous clients before various state agencies, including the Texas Real Estate Commission, the Texas Department of Health and Human Services, and the Texas Board of Veterinary Medical Examiners.

AWARDS AND RECOGNITIONS

- Recognized in *The Best Lawyers in America,* Woodward/White, Inc., for Litigation - Environmental, 2024
- Named as one of Austin's Top Attorneys, *Austin Monthly*, Open Sky Media, 2021-2023.
- Selected for inclusion in *Texas Super Lawyers Rising Stars*, Thomson Reuters, for Employment Defense Litigation and Environmental Defense Litigation, 2015; and Business Litigation, 2014-2021
- Recognized as a Labor and Employment Star by *Benchmark Litigation*, Euromoney Institutional Investor PLC, 2021

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