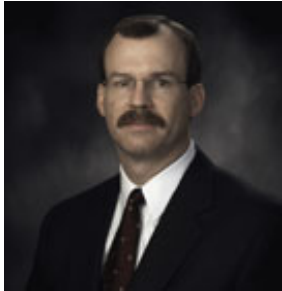


Frederick D. Junkin



**Partner**

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**PRACTICES**

Appellate  
Public Law  
Public Law Litigation  
Real Estate Litigation

**EDUCATION**

JD, 1989, *with honors*,  
The University of Texas  
School of Law, *Texas  
Law Review*, Managing  
Editor (1988-1989),  
Order of the Coif  
BA, 1986, *departmental  
honors*, Austin College  
US Fifth Circuit Court of  
Appeals, Judicial  
Clerkship for the  
Honorable Thomas M.  
Reavley (1989-1990)

**ADMISSIONS**

Texas 1990  
US Court of Appeals for  
the Fifth Circuit  
US District Court for the  
Southern District of  
Texas

Fred focuses his practice on civil litigation and appeals. His background includes litigation involving public law issues and real estate and commercial disputes.

Fred has represented clients in a wide variety of litigation involving governmental matters, including condemnation and inverse condemnation proceedings, construction disputes, election contests, zoning controversies and contract actions. He has extensive experience with regard to eminent domain law, having represented both acquiring authorities and landowners in a variety of proceedings, including acquisitions for light rail facilities, highway and road widenings, a natural gas storage facility, power line right-of-way, pipeline right-of-way, railroad right-of-way, port facilities and sports venues.

In addition to his public law practice, Fred represents private clients in real property litigation and commercial disputes.

Fred also has represented clients in connection with appellate proceedings, including the preparation of briefs and presentation of argument in appeals from judgments entered in cases handled by Andrews Kurth and the preparation of *amicus curiae* briefs on behalf of third parties interested in the legal issues presented in other appeals.

**REPRESENTATIVE EXPERIENCE**

**Condemnation**

- Currently representing a transit authority in the acquisition of right-of-way necessary for the construction of light rail facilities.
- Currently representing a municipal power agency in the acquisition, by purchase and condemnation, of right-of-way for the construction of a rail spur.
- Represented a municipal power agency in the acquisition, by purchase and condemnation, of easements required for the construction of an electric power line.
- Represented various water authorities and municipal utility districts in connection with the acquisition of easements for water lines and drainage facilities.
- Represented various large pipeline companies in connection with right-of-way acquisition projects, including the acquisition, by purchase and condemnation, of easements required for the construction of a 70-mile natural gas pipeline and the construction of a 113-mile carbon dioxide pipeline.
- Represented a city in connection with the acquisition, by purchase and condemnation, of land necessary for the construction of a basketball arena.
- Represented a venue district in connection with the condemnation of land necessary for the construction of a baseball stadium.

## Frederick D. Junkin

### Inverse Condemnation

- Successfully defended a transit authority against a landowner's claim that the modification of driveways and available means of ingress and egress in connection with the construction of a light rail line resulted in a material and substantial impairment of access to the landowner's adjoining property.
- Successfully defended a transit authority against a claim that it had unlawfully fenced a parking lot adjoining the claimant's property, resulting in a denial of access to that property.

### Landowner Defense

- Currently representing a major railroad company in connection with the proposed condemnation of a pipeline easement along and across the company's railroad right-of-way.
- Represented a major national bank in the negotiation of the easement terms and compensation due for the acquisition of a power line easement across the bank's property.
- Represented a landowner in contesting the proposed condemnation of a water line easement being constructed to serve a third party's electric power generating plant.
- Represented a large group of landowners in connection with the acquisition of underground storage rights for a natural gas storage facility.

### Other Government Litigation

- Successfully defended a transit authority in connection with various construction and contract disputes.
- Successfully defended board members and the executive director of a tax increment reinvestment zone who had been sued after denying a developer's request for funding for a redevelopment project.

### Real Property Litigation

- Successfully defended a pipeline company against a landowner's trespass claim arising out of the company's lease of a common carrier pipeline and associated easement rights.
- Following an adverse summary judgment ruling and jury verdict, substituted in as counsel for landowners seeking recovery for Deceptive Trade Practices Act, negligence, and gross negligence claims as a result of a failure to disclose and misrepresentations regarding the existence of a pipeline easement across their residential property. Secured a reversal of the summary judgment and negotiated a favorable settlement of the claims.
- Represented a developer challenging a city's denial of a building permit for an apartment complex and secured a settlement resulting in the issuance of a building permit.
- Successfully represented a landowner in a deed construction dispute involving competing claims to mineral interests.

### Representative Published Opinions

- *Burris v. Metropolitan Transit Authority*, 266 S.W.3d 16 (Tex. App.–Houston [1st Dist.] 2008, no pet.)
- *SouthTex 66 Pipeline Co. v. Spoor*, 238 S.W.3d 538 (Tex. App.–Houston [14th Dist.] 2007, pet. denied)
- *WesTTex 66 Pipeline Co. v. Bulanek*, 213 S.W.3d 353 (Tex. App.–Houston [1st Dist.] 2003), *aff'd in part, rev'd in part*, 209 S.W.3d 98 (Tex. 2006)
- *4N Int'l, Inc. v. Metropolitan Transit Authority*, 56 S.W.3d 860 (Tex. App.–Houston [1st Dist.] 2001, pet. denied)
- *Johnson v. Prudential Relocation Management Limited Partnership*, 918 S.W.2d 68 (Tex. App.–Eastland 1996, writ denied)
- *Rosenthal v. Ottis*, 865 S.W.2d 525 (Tex. App.–Corpus Christi 1993, no writ)

### PROFESSIONAL RECOGNITION

- Texas Rising Star, *Texas Monthly* (2004)

Frederick D. Junkin

**AFFILIATIONS**

- State Bar of Texas
- Houston Bar Association