

## R. Casey Low



### Partner

111 Congress Avenue  
Suite 1700  
Austin, TX 78701  
P: 512.320.9213  
F: 512.320.9292  
caseylo@andrewskurth.com

After clerking for the Texas Supreme Court, Casey joined the Andrews Kurth litigation and appellate sections of the Austin office, where he is now a partner. Casey has represented both plaintiffs and defendants in state and federal courts, arbitration proceedings and internal investigations within Texas and nationally. His representations have involved a wide array of claims typical of complex commercial disputes on behalf of clients ranging from Fortune 500 companies and foreign corporations to local individuals and small start-ups, spanning industries such as health care, technology, aviation, hotel, art, energy, financial services and real estate. Casey's focus has often involved companies that have gone through internal struggles, such as partnership disputes or disputes with shareholders, or those with competitors, such as companies that have been targeted by defamation, business disparagement or tortious interference with contracts or business relations.

### REPRESENTATIVE EXPERIENCE

#### Trial

- Lead counsel in seeking relief for defamation, business disparagement, tortious interference with contract and prospective business relations, and antitrust violations for national health care company based in Texas
- Lead counsel in defending against securities claims against Austin based oil and gas corporation
- Lead counsel in prosecuting claims for suit on a sworn account, breach of contract, and quantum meruit in Texas state court
- Lead counsel for defending claims in arbitration related to enforceability of non-competition and non-disclosure agreements
- Lead counsel for prosecuting claims in arbitration for nonpayment of medical services
- Lead counsel in defending claims associated with use of web domain and asserted trademark rights
- Lead counsel in defending importer of prescription drugs regarding violations of The Food, Drug and Cosmetic Act
- Prosecuted claims for products liability and tort for drilling company related to defective pipe
- Prosecuted claims for payment of natural gas royalties
- Defended claims for alleged non-payment of finder's fee for sale of national oil company to international oil company

### INDUSTRIES

Art and Cultural  
Property  
Aviation  
Biotechnology, Life  
Sciences and Medical  
Devices  
Electric  
Energy  
Hospitality and Hotels  
Internet/E-Commerce  
Oil and Gas  
Real Estate  
Technology  
Technology and  
Emerging Companies

### PRACTICES

Appellate  
Aviation Litigation  
Commercial Litigation  
Construction Litigation  
Energy Disputes and  
Litigation  
Intellectual Property  
Litigation  
Litigation  
Oil and Gas Disputes  
Probate, Wills and Trust  
Litigation

### EDUCATION

JD, 2003, *cum laude*,  
Harvard Law School  
Judicial Clerkship for  
Justice Owen at the  
Texas Supreme Court  
BA, 2000, *summa cum  
laude*, Economics and  
Political Science, Trinity  
University

### ADMISSIONS

Texas 2003

## R. Casey Low

- Defended manufacturer of medical devices against alleged claims of defamation, business disparagement, tortious interference with contracts and business relations, and antitrust violations
- Prosecuted claims for defamation and business disparagement aimed at national energy company based in Texas
- Defended aviation company for products liability and tort claims regarding accident involving aircraft
- Sought relief for fraudulent conveyance and illegal dividends in IPO of publicly traded corporation
- Defended corporation against claims of patent infringement
- Defended wrongful termination and breach of contract action involving the CEO of the American subsidiary of a multinational corporation
- Sought relief for theft of trade secrets, copyright infringement and other related tortious actions
- Defended against federal third-party subpoena concerning material protected by federal Stored Communications Act
- Sought declaratory judgment in arbitration concerning proper interpretation of warrants to purchase securities of a corporation

US Court of Appeals for the Federal Circuit

US Court of Appeals for the Fifth Circuit

US District Court for the Northern District of Texas

US District Court for the Western District of Texas

US District Court for the Eastern District of Texas

US District Court for the Southern District of Texas

### Appeal

- Lead counsel in seeking mandamus relief for violation of a forum selection clause
- Lead counsel in defending appeal of denial of motion to dismiss involving the new Texas Anti-SLAPP statute
- Appealed verdict of duress and breach of fiduciary duty regarding contract dispute among partnership
- Defended breach of warranty judgment for spin-off of publicly traded company
- Appealed summary judgment concerning claims of fraud, negligence and breach of contract involving warranty for construction of refinery
- Defended and prosecuted appeals of decisions of Public Utility Commission in electricity deregulation dockets
- Appealed preference action involving whether bankruptcy expert met demands of *Daubert* to opine on debtor's solvency and whether trial court employed appropriate valuation standards
- Appealed verdict of patent infringement and associated claims of willfulness and damages
- Sought mandamus of trial court, which ignored exclusive jurisdiction of another state's agency
- Sought mandamus of trial court order compelling discovery that was over broad

### Recent Successful Opinions

- *AEP Tex. N. Co. v. Pub. Util. Comm'n*, 297 S.W.3d 435 (Tex. App.—Austin 2009, pet. denied)
- *Nat'l Corp. Tax Credit, Inc. VIII v. JNP Props., Inc.*, No. 03-07-00639-CV, 2009 WL 1161109 (Tex. App.—Austin April 30, 2009, no pet.) (mem. op.)
- *Westmont Hospitality Group, Inc. v. Morris*, No. 07-07-0173-CV, 2009 WL 996989 (Tex. App.—Amarillo April 14, 2009, no pet.) (mem. op.)

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- *AEP Tex. Cent. Co. v. Pub. Util. Comm'n*, 286 S.W.3d 450 (Tex. App.—Corpus Christi 2008, pet. denied)

### Clerkship

- Supreme Court of Texas - Chambers of Priscilla R Owen, 2003-2004

### BRIEFINGS, SEMINARS & SPEECHES

- "10 Provisions to Consider in All Contracts," presented in Austin, Texas (September 26, 2011)

### PRESS RELEASES

- Andrews Kurth Elects Eight New Partners for 2012 (November 28, 2011)