

## W. Earl Touchstone



### Partner

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Earl is an experienced trial lawyer with nearly 23 years of extensive jury trial and arbitration experience. His practice has focused on commercial litigation, products liability, oilfield and industrial accidents and other complex litigation. He has defended manufacturers of a wide variety of products, including medical devices, valves, hoses, safety equipment, component parts, and various construction, manufacturing, drilling and industrial equipment. His commercial litigation experience includes prosecuting and defending suits for breach of contract, indemnity and additional insured status, fraud, breach of fiduciary obligations, and oil- and gas-related claims.

Earl also has extensive experience involving on-site crisis management and complete representation of parties related to catastrophic industrial plant accidents. He protects the interests of his clients at every step in their response, including investigation, dealing with governmental entities, defending against claims by third parties, counseling regarding employees' claims, and prosecuting claims for first and third party insurance coverage.

Earl has an AV rating by Martindale-Hubbell (highest rating for ethics and ability).

### REPRESENTATIVE EXPERIENCE

- Lead counsel in defending and prosecuting claims relating to underpayment of oil and gas revenues
- Lead defense counsel in numerous jury trials of products liability lawsuits
- Lead counsel in jury trials of commercial disputes including breach of contract, breach of fiduciary obligations, fraud and other related claims
- Lead defense counsel in numerous jury trials for personal injuries resulting from on-the-job injuries, products liability and other accidents
- Lead counsel in prosecuting insurance coverage claims on behalf of shipping, petroleum and other clients
- Counsel for defendants and plaintiffs in claims involving allegations of fraud, negligence, misrepresentation, breach of fiduciary duty, DTPA violations and other related claims
- On-site lead counsel for numerous catastrophic industrial plant, oilfield and offshore accidents, including all aspects of on-site investigation, coordination and prosecution of claims for insurance coverage, evidence mapping and collection, human relations and family crisis, OSHA investigation response and defense of litigation resulting from the accidents

### INDUSTRIES

Energy  
Oil and Gas  
Construction  
Insurance

### PRACTICES

Commercial Litigation  
Oil and Gas Disputes  
Products Liability  
Construction Litigation

### EDUCATION

JD, 1987, *cum laude*,  
Baylor University, *Baylor Law Review*, Managing Editor  
BBA, 1984, *with honors*,  
Baylor University

### ADMISSIONS

Texas 1987  
US District Court for the Northern District of Texas 1988  
US District Court for the Southern District of Texas 1990  
US District Court for the Eastern District of Texas 1991  
US District Court for the Western District of Texas 1997

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**AFFILIATIONS**

- Houston Bar Association, Litigation Section and Scholarship Committee, Life Fellow
- Houston Bar Foundation, Life Fellow (2008-present), Fellow (1998-present)
- Houston Young Lawyers Association, Task Force Houston Co-Chair (1998-1999)
- Houston Volunteer Lawyers' Pro Bono Program – accepted referrals (1991-present)
- Texas Bar Association, Grievance Committee, Chairman (2001-present)
- Texas Bar Foundation
- Texas Young Lawyers Association, Minority Involvement Committee (1995-1997), Legislative Committee (1995-1996), State Moot Court Competition Vice Chairman (1996-1998)
- State Bar College (1995)