

M. Katherine Strahan



Associate

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PRACTICE AREAS

Litigation

EDUCATION

JD, 1999, *cum laude*,
University of Houston
Law Center, Order of
the Barons

BA, 1991, University of
Texas

ADMITTED

Texas 1999

US District Court for the
Northern District of
Texas

US District Court for the
Southern District of
Texas

US District Court for the
Eastern District of
Texas

US District Court for the
Western District of
Texas

US Court of Appeals for
the Fifth Circuit

US Court of Appeals for
the Tenth Circuit

Katherine's practice consists of commercial litigation, with an emphasis on employee welfare benefits and managed care litigation since 1999.

As part of the emphasis on employee welfare benefits and managed care litigation, Katherine has extensive experience in ERISA benefits cases, including medical, disability, life and AD&D benefits. As part of her ERISA practice, Katherine has represented a range of defendants, including insurers, plan administrators, third-party claims administrators and employers in scores of federal court cases throughout Texas. She has also represented clients in ERISA cases in federal appeals courts. Katherine's ERISA practice has included written and oral advocacy of the jurisdictional, discovery and standard of review issues that typically arise in such cases, as well as routinely defending administrative benefits decisions on the merits. As part of her managed care practice, Katherine has represented managed care entities in many cases involving contractual disputes with health care providers, allegations of prompt pay violations, and common law and statutory misrepresentation claims. Katherine also has experience in representing insurance companies and managed care entities in bad faith litigation in state and federal courts.

In addition to her ERISA and managed care practice, Katherine has represented clients in toxic tort litigation and commercial disputes in state and federal courts. She has also argued before the United States Court of Appeals for the Fifth Circuit.

REPRESENTATIVE EXPERIENCE

- Represented a long term disability plan and its claims administrator in an action against them to recover ERISA disability benefits in the Northern District of Texas. The defendants won summary judgment in the district court, and the Fifth Circuit affirmed in a published opinion after briefing and oral argument on the merits.
- Represented an insurance company in an ERISA benefits case brought by a health care provider seeking payment for IVIG treatment. Finding that the defendant did not abuse its discretion in denying payment for the services because they were not "medically necessary" under the health care plan, the Southern District of Texas granted summary judgment in the defendant's favor. The Fifth Circuit affirmed the summary judgment.

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- Represented managed care companies in a suit brought against them by a health care provider asserting breach of contract and misrepresentation claims based on alleged verifications of medical coverage. After removal to federal court, the Southern District of Texas granted summary judgment in favor of the defendants and dismissed the lawsuit.
- Represented managed care companies in a suit brought against them by insurance agents claiming damages for alleged breach of contract, which involved issues of successor liability and assumptions of obligations in purchase agreements. The state court granted summary judgment in favor of the defendants, and the Sixth Court of Appeals affirmed the summary judgment in a published opinion.

PROFESSIONAL/CIVIC AFFILIATIONS

Member

- Houston Bar Association
- World Affairs Council of Houston