SpencerFane®

Joseph A. (Joe) Garnett

Partner

Contact

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Overview

Joe represents clients in litigatory matters across diverse industries, applying wide-ranging experience and several types of dispute resolution to favorably resolve matters in manners beneficial to business interests and goals. He initially develops solutions based on alternative resolution methods, including mediation and arbitration, and, when necessary, utilizes exceptional pre-trial, trial, and appellate advocacy, backed by a powerful reputation for success in the courtroom.

Within his broad practice areas, Joe defends clients in matters ranging from business fraud, commercial litigation, and professional liability to products liability, personal injury suits, premises liability, and property damage. He even handled the appeal of a death row inmate's capital murder conviction.

In 1996, Joe established his reputation as a trial lawyer when he won a landmark verdict for a group of landowners who sued a natural gas storage facility for property damage, which he was interviewed about during a *National Public Radio* broadcast. Since then, his practice has expanded in both industries and internal scope for an impressive array of clients. Among other notable accomplishments and honors, Joe is board certified in personal injury trial law by the Texas Board of Legal Specialization.

Education

- South Texas College of Law, 1985 (J.D.)
- Texas A&M University, 1982 (B.S.), *cum laude*

Bar Admissions

- Texas

Court Admissions

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

Community Involvement

- Texas A&M College of Liberal Arts, Development Council, 1997-present
- Alzheimer's Association, Advisory Board, 2008-2012
- Vincent DePaul School, Long Range Planning Committee, 2007-2010
- Old Braeswood Homeowners Association, Officer, 1997-2002
- Association of Governing Boards of Universities and Colleges, 1998-1999
- South Texas College of Law
    - National Alumni President, 1997-1999
    - Board of Directors, 1997-1999

Distinctions

- *Best Lawyers in America*, Commercial Litigation, 2027
- *Martindale-Hubbell*, AV Preeminent
- *Million Dollar Advocates Forum*, Member
- Supreme Court of Texas, Justice Sears McGee, Briefing Attorney, 1986-1986
- Texas Board of Legal Specialization, Personal Injury Trial Law, Board Certified
- *Texas Super Lawyers*, 2003, 2007-2008, 2011-2026
    - Blue Ribbon Panelist, 2012, 2013, 2017
- Texas' Top Rated Lawyers, 2012-2023
    - Top Rated Lawyer, Commercial Litigation, 2013
    - Top Rated Lawyer, Business Litigation, 2012

Memberships

- Federation of Defense & Corporate Counsel
- Texas Bar Foundation, Life Fellow
- State Bar of Texas

Presentations and Publications

- "Getting Control of Your Post – Accident Investigations, Including Dealing with OSHA," HCA Conference, 2018
- "On Edge of Houston, Underground Caverns Store Huge Quantities of Natural Gas Liquids," *Houston Public Media* (original broadcast on *National Public Radio*), October 19, 2015
- "Property Insurance Case Law Update," RSUI Claims Seminar, June 2011
- "Ten Worst Jurisdictions in the United States," Bermudian Insurers, March 2011

- "Taming the E Dragon: Controlling Costs, Avoiding Double Billing & Winning Fee Disputes for Duplicative E-Discovery in Litigation of All Sizes," Council on Litigation Management, Conference, March 2010
- "Trial Tactics," South Texas College of Law, 1996
- "What You Need to Know to Evaluate a Nonsubscriber Workers' Compensation Case," *Garnett and Pletcher*, 11 Texas Personal Injury Law Reporter, 1993
- "Insurance Contract Coverage Problems," State Bar of Texas, Advanced Workers' Compensation Course, 1991
- "The New Workers' Compensation Statute," State Bar of Texas, Advanced Workers' Compensation Course, 1990

Related Experience

- Obtained multi-million-dollar verdict for a company defrauded by an investor in a failed business deal.
- Obtained defense verdict for a software company on a claim of breach of employment contract by a former executive fired by the company.
- Achieved a dismissal of a computer manufacturer from fraud claims in a multi-million-dollar accounting fraud case.
- Negotiated a confidential settlement in a significant amount for a terminated pilot from a major airline.
- Achieved a favorable verdict for a lienholder in a commercial lien foreclosure case.
- Successfully defended a lodge on a claim that an over-served bar patron severely injured another bar patron.
- Successfully defended a sports bar on a claim that an over-served patron injured two individuals in a major automobile collision.
- Successfully defended a directional drilling company on a multi-million-dollar claim of damage to a 30-inch natural gas liquids pipeline.
- Obtained a multi-million-dollar verdict for landowners damaged by a gas explosion occurring at a nearby natural gas liquids storage facility near Brenham, Texas.
- Obtained a defense verdict in favor of a health club and its trainer on a claim that the trainer seriously injured a club member on the facility equipment.
- Obtained a defense verdict for a commercial landowner who allegedly diverted the natural flow of rainwater resulting in the flooding of plaintiffs' home.
- Obtained a favorable verdict for a business owner and a property insurance carrier for reimbursement of fire damages caused by a defective credit card reading machine.
- Successfully defended a Japanese heavy equipment manufacturer in a case where the plaintiff was crushed when an excavator pinned him against a barge bulkhead.
- Successfully defended a manufacturer on a claim that raw materials sold to make rubber end products caused respiratory injuries and memory loss.
- Successfully defended an electrical connector manufacturer on the claim that an electrical connector failed, causing a crane to drop a load which killed a worker.
- Obtained a defense verdict for a vehicle manufacturer on claims of products liability, breach of warranty, and violations of the Texas Deceptive Trade Practices Act.
- Obtained two consecutive defense verdicts for a major computer manufacturer on products liability claims that a computer caused significant fire damage to a house.
- Successfully defended a major battery manufacturer on products liability claims that consumer batteries caused significant fire damage to a house.
- Obtained defense verdict for a Houston-based school district sued for causing the stress-related death of a teacher.
- Obtained defense verdict for a steel erection company, which allegedly caused serious injuries to a worker on a construction site.
- Obtained a defense verdict for a transportation company driver in an auto collision jury trial on negligence allegations in which the plaintiff suffered herniated disks and broken rib injuries and sought several hundred thousand dollars in damages.

- Successfully defended construction and demolition companies in cases involving injuries and deaths caused by excavators and forklifts.
- Successfully defended an architectural firm on a multi-million-dollar claim of professional negligence for failure to detect structural damages during a commercial inspection of apartment buildings as part of a sales transaction.
- Obtained a favorable verdict for an insurance agency which failed to place flood insurance on several buildings flooded during tropical storm Allison.
- Obtained a defense verdict for an emergency room physician who allegedly failed to diagnose a female patient's condition that resulted in sterilization.
- Successfully defended a College Station hospital on a claim that it released an ER patient without a chaperone, who subsequently sustained a catastrophic head injury in a one-car accident.