



CRAIN  
CATON  
— & —  
JAMES  
SINCE 1912

1401 McKinney Street  
Suite 1700  
Houston, TX 77010  
713-658-2323  
[www.craincaton.com](http://www.craincaton.com)

*ABOUT THE FIRM*



Crain, Caton & James is committed to providing superior legal services in a prompt and cost-efficient manner. The attorneys and staff at Crain, Caton & James recognize that the firm's success depends upon the success of our clients and that legal services are not an end in themselves, but a means to assist clients in reaching their goals.

The Firm's primary areas of practice are:

- *Appellate Law*
- *Banking and Financial Services*
- *Bankruptcy and Creditors' Rights*
- *Corporate and Tax*
- *Commercial Litigation*
- *Employment and Labor Law*
- *Energy*
- *Environmental*
- *Estate Planning*
- *Fiduciary Litigation*
- *Insurance and Personal Injury Law*
- *Intellectual Property*
- *International Business Transactions*
- *Probate, Trust and Guardianship*
- *Real Estate Law*

Crain, Caton & James traces its origins to the law firm of Kennerly & Warnken, founded in Houston, Texas in 1912. Today it is a full-service Houston law firm serving clients from around the world. Our attorneys and staff are committed to continuing an established tradition and reputation for providing prompt legal services of the highest quality to each of our clients.

*ABOUT THE FIRM*



The attorneys at Crain Caton & James have superior academic backgrounds and a wealth of experience. Trained at the finest universities in Texas and the nation, our attorneys consistently rank near the top of all Houston law firms by academic background. Our shareholders average 20 plus years of legal experience per shareholder. In addition, members of the Firm regularly participate in and instruct continuing legal education seminars. Crain, Caton & James has consistently received the highest possible rating awarded by the Martindale-Hubbell Law Directory, the nationally recognized legal directory.

Our ongoing investment in Information Technology combined with maintaining an up to date IT infrastructure allows our attorneys and staff to work efficiently and effectively. Access to extensive legal research databases that are always current results in precise and accurate research results.



Our website, [www.craincaton.com](http://www.craincaton.com) contains up to date profiles on each of the Firm's attorneys along with more detailed information on all of the Firm's practice areas, which are summarized in this brochure. You are invited to visit our website for more information.

## *BANKING AND FINANCIAL SERVICES*

Our banking and financial services attorneys represent providers of consumer and commercial financial services in all aspects of lending, forms, procedures, collection, lender liability, workout, foreclosure, bankruptcy and compliance with Texas and federal laws and regulations. Attorneys in this section also represent banks and other financial services



providers ranging from community banks to large multi-state holding companies and finance companies. The development and constant refinement of the Firm's forms and procedures allows us to produce documents efficiently and cost effectively.

Members of the banking and financial services section regularly author articles and books, teach for State and national trade associations (such as IBAT and TBA), and provide training and materials for financial institutions, other law firms and regulators, including the "go to" treatise on Texas and federal credit laws, *Usury and Texas Credit Laws*.

## *PROBATE, TRUST AND GUARDIANSHIP*

Attorneys in this section routinely represent executors, administrators, and trustees in all aspects of estate and trust administration and settlement including seeking appointment, carrying out his or her duties, preparing federal estate tax returns, and matters relating to the settlement of estates and trusts. Our attorneys also represent beneficiaries relating to their interest in estates and trusts. In addition, our attorneys represent creditors of estates in matters relating to enforcement of their claims.

In guardianship matters, our attorneys are often engaged to assist in seeking or defending against a guardianship. The Firm routinely represents court appointed guardians in all aspects of guardianship proceedings including preparing inventories and accountings. Attorneys in this section are regularly requested to lecture on issues related to probate, trust and guardianship at numerous continuing legal education seminars of the State Bar of Texas and other state and local legal organizations.

## *FIDUCIARY LITIGATION*

The attorneys at Crain, Caton & James have significant experience in complex fiduciary litigation. Our attorneys have defended and sued trustees, executors, guardians and other fiduciaries relating to their fiduciary duties and responsibilities. These suits include claims relating to breach of fiduciary duty, negligence, misappropriation, gross negligence, bad faith, removal of the fiduciary, tortious interference and claims for or involving accountings. The Firm also advises individuals and fiduciaries in disputes involving business entities, such as partnerships and corporations.

The Firm's attorneys represent clients in state and federal court and arbitration proceedings. Our attorneys have been involved in interstate fiduciary litigation and have been admitted to practice law in selected matters in other states. Our attorneys have also successfully brought and defended appeals through final hearing in the Texas Supreme Court and the United States Court of Appeals for the Fifth Circuit. Furthermore, the attorneys of Crain, Caton & James are able to combine the necessary litigation skills with expertise in related tax issues.

## *ESTATE PLANNING*

The estate planning section offers extensive experience in all areas of estate and trust planning. Members of this section are experts in structuring the ownership of clients' assets and in assuring effective and trouble-free transfer of wealth upon death or disability while seeking to minimize income, gift, estate, and generation-skipping transfer taxes.

Our attorneys routinely prepare wills and trusts of all degrees of complexity, medical and financial powers of attorneys, directives to physicians, designation of guardians, and other planning documents, assuring that these documents are properly executed and easily retrievable.



## *CORPORATE AND TAX*

Our corporate and tax attorneys provide extensive services with respect to a broad range of business transactions. Our attorneys consult with clients in determining appropriate entities for use in their business ventures, financing and capitalization alternatives, and related tax consequences. Members of this section advise both small and large companies, including multi-state real estate concerns and venture capital organizations.

In addition, our attorneys advise clients on various types of business transactions including substantive law and tax issues encountered in the acquisition and sale of business ventures and business assets, the reorganization of corporations and partnerships, and problems confronting the nonresident investors conducting business in the United States.



Our corporate attorneys represent corporations and other business clients in connection with private offerings of securities, licenses, franchises and distributorships, mergers, acquisitions, and general business planning. Our attorneys counsel individuals with respect to shareholder and partnership agreements, employment agreements, and executive compensation packages.

Our tax attorneys are qualified to counsel both corporate clients and individuals in the never ending quest to minimize tax liability. The Firm represents both individuals and entities in obtaining letter rulings from the IRS.

Our corporate and tax attorneys have substantial experience in helping clients with various state tax problems, including planning under the new Texas margin tax rules.

## *INTELLECTUAL PROPERTY*



The 21st century business needs a solid legal plan to profit from its intellectual property locally, nationally and in foreign markets. Fortune 500 companies, and the local mom and pop operation, need a comprehensive plan to protect and enhance the revenue stream, which can be realized from its investments, trademarks, inventions and trade secrets.

The intellectual property (IP) team includes seasoned attorneys, paralegals and analysts with diverse technical backgrounds capable of handling matters in a variety of areas such as: oilfield equipment; seismic imaging and processing; measurement devices and sensors; valves and seals; marine systems; architectural plans; HVAC; system process and design; database design; robotics; telecommunications; e-commerce; energy; construction; tobacco; and pharmaceutical.

## *EMPLOYMENT AND LABOR LAW*

Attorneys in the employment and labor law section represent companies and individuals in connection with employment issues, including claims under the Americans With Disabilities Act, Age Discrimination in Employment Act, ERISA, Title VII (age, race, sex and religion), and the Texas Workers' Compensation Act. Our attorneys handle complaints filed with the Equal Employment Opportunity Commission and Texas Commission on Human Rights, as well as state and federal trials and appeals resulting from these complaints.

The Firm's attorneys counsel clients in connection with personnel matters on a day-to-day basis, including such issues as negotiating settlement packages, preparing employee manuals, and recordkeeping. Additionally, our attorneys provide advice to clients in connection with inquiries by the Department of Labor and other federal agencies.

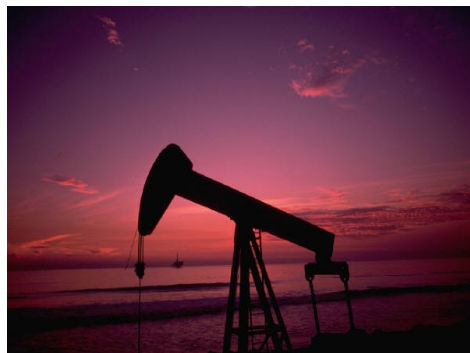
## *ENVIRONMENTAL*

The attorneys in our environmental section offer a full range of services including administrative law and litigation matters related to air, water, solid and hazardous waste, radioactive materials handling, and Superfund. Clients include individuals, municipalities and companies in the oil refining, chemical, petrochemical, transportation, public utility, manufacturing, insurance, land development, waste disposal and recycling industries. Representative clients include CenterPoint Energy, Schenectady International, Inc., the City of Port Arthur, Texas and Lufkin Creosoting Co., Inc.

Members of the environmental section practice before the various State and Federal agencies involved in environmental regulation, dealing with licensing, regulatory development, and enforcement matters. Our environmental attorneys also practice before State and Federal courts in the areas of civil enforcement, administrative appeals of agency actions, and personal injury and property damage cases arising out of environmental incidents. Our attorneys routinely work on a close basis with environmental engineering firms to resolve both technical and legal problems.

## *ENERGY*

Our attorneys have represented energy companies and individuals in a broad variety of oil and gas matters including the purchase and sale of oil and gas properties, the preparation of oil and gas leases, operating agreements, farm-outs, drilling contracts, gas contracts, contracts covering the transfer of producing properties, transportation and processing agreements, title opinions, insurance issues and claims, tax planning, and petroleum storage facilities.



## *REAL ESTATE LAW*

Our real estate attorneys have expertise and experience in practically every aspect of real estate, including acquisition, development, financing, operation, and sale of office, industrial, commercial and residential buildings, shopping centers, hotels and resort properties, mixed-use facilities and master planned projects. Firm clients include a broad array of developers, lenders, investors, landlords, tenants, local, national and international businesses. Members of the real estate section collaborate with other firm attorneys when a case requires expertise in bankruptcy, workouts, corporate finance, environmental law, franchising, partnerships, litigation or tax in order to respond to any situation that may arise.



The Real Estate Section provides a complete range of services to assist clients from basic day-to-day legal matters to the most complex and sophisticated transactions.

## *INTERNATIONAL BUSINESS TRANSACTIONS*

Our international practice involves the structuring, documentation, and implementation of a wide variety of cross-border or multinational commercial transactions including the representation of nonresident investors acquiring interests in U.S. entities and U.S. investors directing their funds into foreign operations.

Our attorneys that handle international business transactions are experienced in negotiating and documenting in-bound and out-bound investment transactions, providing advice with regard to the U.S. tax implications associated with such investments and, when necessary, providing dispute resolution support relating to the enforcement of the transactions. The Firm is accustomed to working with local counsel in non-U.S. jurisdictions and has cooperated with other law firms in many diverse jurisdictions. Additionally, a number of our attorneys are multilingual, which frequently proves useful in handling international business transactions and in the negotiation process.

## *COMMERCIAL LITIGATION*

Our experienced commercial litigators at Crain, Caton & James help their clients achieve favorable business solutions to their litigation problems. We understand that clients want to conduct business, not litigation. Which means that clients, and their attorneys, must be ready and able to try and win cases in any courtroom or arbitration setting, while focusing on the ultimate goal – a resolution that achieves the client's best interests. Our trial lawyers give clients the litigation leverage to accomplish their business and financial goals.

Crain, Caton & James maintains an active litigation practice in courts and arbitration tribunals in Houston and throughout Texas. Our trial practice includes a broad range of areas, including construction, corporate securities, employment and labor, energy, environmental, fiduciary, insurance coverage and bad faith, personal injury, product liability, real estate, and toxic tort.

## *INSURANCE AND PERSONAL INJURY LAW*



Our insurance and personal injury attorneys have extensive trial experience and have obtained favorable jury verdicts in claims for severe paralysis, severe facial scarring, brain damage, psychological injury, death, and a variety of other personal injuries. Over the years, our attorneys have obtained outstanding results from juries in Harris, Galveston, Brazoria, Ft. Bend, Washington and Matagorda Counties.

Crain, Caton & James attorneys have prosecuted and defended claims for offshore injuries, refinery accidents and automobile collisions. Our attorneys have also defended cases involving damages alleged from toxic chemicals such as tetrachloroethane, xylene, paint compounds and other fuel oils. The Firm manages a large national docket involving asbestos claims.

## *APPELLATE*

Effective appellate advocacy requires the best in legal analysis, persuasive writing, and careful research, blended with the judgment and experience to pursue a course of action that will give a client the best chance to achieve the best result.

Our appellate attorneys have successfully briefed and argued cases dealing with diverse issues such as admiralty, probate trusts, real estate, arbitration, personal injury, trade name infringement, insurance, and banking, among many others before the Texas Courts of Appeal and Texas Supreme Court, as well as before the Federal Courts of Appeals, particularly the United States Court of Appeals for the Fifth Circuit. Our attorneys are also experienced in mandamus procedures and are called on to assist in preserving client's interests through mandamus to the courts of appeals. Because our appellate specialists appear regularly before the appellate courts and are active in the appellate bar, they are able to present to the justices of the courts of appeals a consistent and trusted voice in arguments on behalf of our clients.

## *BANKRUPTCY AND CREDITORS' RIGHTS*

Attorneys in the bankruptcy section focus on representing lenders, creditors and landlords in bankruptcy liquidations and reorganizations. When a trustee or debtor-in-possession asserts preference claims against our clients, our attorneys' experience in preference litigation enables them to dispose of or settle most claims on a favorable basis. The Firm assists lenders and landlords in relief from stay and restarting cash flow that has been interrupted by a borrower's or tenant's bankruptcy filing.

Our attorneys represent judgment creditors in post-judgment matters such as the creation and foreclosure of judgment liens, issuance of writs of execution and garnishment, fraudulent conveyance actions, turnover proceedings and post-judgment depositions. The Firm's attorneys are experienced in the domestication and collection of foreign judgments, and the enforcement of the judgments of Texas in the courts of other states.

CRAIN  
CATON  
— & —  
JAMES  
SINCE 1912

1401 McKinney Street  
Suite 1700  
Houston, TX 77010  
713-658-2323  
[www.craincaton.com](http://www.craincaton.com)