

C. Vance Christopher *Shareholder*

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Overview

Vance Christopher works in the commercial litigation, fiduciary litigation, probate, insurance and personal injury law areas.

He has been trying cases to juries as lead counsel since 1981, first, as an assistant district attorney for the Harris County District Attorney's office, then, as a trial lawyer at Crain Caton & James. He has tried over 40 criminal jury trials and 50 civil cases. When the case justifies it, Vance can assemble and manage a formidable team of trial and appellate lawyers and staff to litigate commercial disputes, large probate matters, fiduciary claims (including commercial, guardianship, trust and estate matters), and mass torts. Vance's advice is informed at every turn by over 36 years of trying cases to judges, juries, and arbitrators.

In addition to trying and arbitrating cases and handling appeals, Vance also takes great satisfaction in collaborating with clients to resolve their litigation problems before trial. He has found however, that clients can only achieve favorable settlements when their lawyer is an effective and experienced trial lawyer.

Vance is Board Certified in Civil Trial and Personal Injury Trial Law by the Texas Board of Legal Specialization since 1993. He completed the University of Houston's Commercial Arbitration course and received a Certificate in Advanced Arbitration Skills from AA White Dispute Resolution Center.

Education

University of Texas School of Law, J.D., 1981

Davidson College, B.A., 1978

Practice Areas

Commercial Litigation

Fiduciary Litigation

Insurance and Personal Injury

Probate, Trust and Guardianship

Representative Experience

Trial + Arbitration

Admissions

Texas

United States District Court for the
Southern District of Texas

U.S. Tax Court

U.S. Court of Appeals for the Fifth Circuit

A. Sampling Of Over 50 Civil Cases Tried Since 1985

1. Commercial

(a) Represented multiple businesses in prosecuting claims in arbitration for breach of contract and deceptive trade practices against a publicly traded company; after a five-day hearing, obtained an award from the AAA for more than 10 times the last settlement offer. (First chair - Arbitration)

(b) Arbitration Proceeding; Obtained finding denying counterclaim in contract dispute over refinery operations. (Second chair - Arbitration)

(c) District Court of Harris County, Texas; Employment contract dispute. Obtained favorable judgment for client, currently on appeal. (Second Chair - Bench Trial)

(d) District Court of Kerr County, Texas; Dispute between closely held corporations involving breach of contract, breach of fiduciary duty, fraud, self-dealing, lease construction, tax issues and minority oppression claims. (Co-First chair - Jury Trial)

(e) District Court of Galveston County, Texas; Represented Defendant insurance company against Plaintiff's claims for breach of contract, Insurance Code and DTPA violations, and breach of the duty of good faith and fair dealing. Defense verdict and recovery of portion of client's attorneys' fees under DTPA counterclaim. (First chair - Jury Trial)

(f) District Court of Harris County, Texas; Breach of Contract.

(g) District Court of Harris County, Texas; Prosecuted declaratory judgment action for breach of contract. Plaintiff counterclaimed for bad faith and violation of DTPA and Insurance Code. Defense verdict; no liability and recovery of attorney's fees. (First chair - Jury Trial)

(h) District Court of Harris County, Texas; Breach of contract. Defense verdict; no liability. (First chair - Bench Trial)

(i) District Court of Harris County, Texas; Breach of contract. Defense verdict; no liability. (First chair - Jury Trial)

(j) District Court of Harris County, Texas; Breach of contract against insurance company. Obtained coverage for client at trial court. Affirmed on appeal by Texas Supreme Court. (Second chair - Bench Trial)

(k) District Court of Harris County, Texas; Obtained finding client did not owe additional \$1 million in dispute over insurance coverage. (First chair - Bench Trial)

(l) District Court of Harris County, Texas; After cross-examination of Plaintiff, settled Plaintiffs' \$1.25 million breach of contract, theft of trade secrets, and breach of fiduciary duty claims for less than 10% of lowest pre-trial demand. (First chair - Jury Trial)

2. *Probate*

(a) Probate Court of Fayette County, Texas; Will contest. Successfully defended will. (Second Chair - Jury Trial)

(b) County Court of DeWitt County, Texas; Will contest. Successfully defended client's rights under the will. (First Chair - Bench Trial)

(c) Probate Court Montgomery County, Texas; Will contest. Successfully defended will. (First Chair - Jury Trial)

(d) Probate Court of Harris County, Texas; Represented Trustee asserting and defending against breaches of fiduciary duty involving self-dealing and complex financial transactions and tax issues. (First chair - Jury Trial)

3. *Personal Injury*

Over 20 jury verdicts on personal injury claims including many for serious bodily injuries, death and sexual assault.

B. Matters Litigated But Not Tried to Verdict or Judgment

1. Commercial

(a) Breach of contract fraud, bad faith claims between oil and gas corporation and its employee. Multiple summary judgment hearings on liability, contractual and extra-contractual, and statutes of limitations defenses.

(b) Breach of contract, Insurance Code, Deceptive Trade Practices Act and bad faith claims asserted by insured against carrier over life insurance and accidental death insurance provided by employer.

(c) Breach of contract, Insurance Code and bad faith claims by small business against its insurance carrier resulting from storm loss.

(d) Representation of major brokerage house and individuals in state and federal district court and in arbitration for disputes over covenants not to compete.

(e) Mass tort litigation management.

2. Probate/Trust/Guardianship

(a) Disputes among heirs over will contest, ownership and characterization of estate assets including corporate governance and how to maintain the viability of corporations.

(b) Breach of contract, fraud, breach of fiduciary duty, and civil theft claims against trustee and individuals over joint venture interests in oil and gas fields.

(c) Disputes over guardianships of wards and putative wards involving complicated medical, financial and family issues.

(d) Disputes between family members over wills, capacity and related trust issues.

Affiliations

State Bar of Texas

- Member, Pattern Jury Charge Committee Family/Probate - this committee was charged with drafting standardized jury questions to be used by judges and lawyers in probate and fiduciary cases across Texas
- Texas Bar Foundation (life member)

Houston Bar Association

- Houston Bar Foundation

American Board of Trial Advocates

- Discussion Leader, Lunch with the Masters: Advanced Evidence and Discovery

Community

- CASA - Child Advocates

Presentations

- *Fiduciary Litigation Course: Considerations Checklist for Fiduciary Litigation Related to Estate Planning/Probate/Executors/Trusts*, presented and written for State Bar of Texas
- *All Day Ethics Program: Navigating The Quagmire (AKA Trying not to Get Sued) In the Estate, Trust & Guardianship Area*, Houston Bar Association, 2013
- *Experts 101: The Who, What, When and Why*, Houston Bar Association, various dates
- Breakout Discussion Leader, Professionalism Day, Bench Bar Conference, Houston Bar Association, various dates
- Discussion Leader, Lunch with the Masters, American Board of Trial Advocates

Awards

- Rated “AV” by Martindale-Hubbell
- Elected to American Board of Trial Advocates
- Included on the Best Lawyers List, a U.S. News publication, for Commercial Litigation and Personal Injury Litigation-Defendants, 2019 Edition
- Included in the list of Texas Super Lawyers for Business Litigation, by Thomson Reuters 2005-2018

Certifications

Board Certified by the Texas Board of Legal Specialization in Personal Injury Trial Law

Board Certified by the Texas Board of Legal Specialization in Civil Trial Law

Certificate in Advanced Arbitration Skills by the A.A. White Dispute Resolution Center from the University of Houston