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## Select Areas of Litigation Practice

- ADR
- Banking & Financial Services
- Chemicals
- Commercial Litigation
- Construction
- Consumer Products
- Energy Litigation
- Franchise & Distribution
- Health Care
- Insurance
- International Litigation
- Labor & Employment
- Mass Tort & Toxic Tort
- Medical Devices & Biotech
- Personal Injury
- Products Liability
- Professional Risk
- Securities
- Trade Secrets
- Trans. & Motor Vehicles

## Education

- SMU Dedman School of Law  
Dallas, Texas  
J.D., 1984
- SMU  
Dallas, Texas  
B.A., cum laude, 1981

## Roger L. McCleary

Parsons McEntire McCleary PLLC  
*Vice-Chair & Shareholder*

A history of extraordinary results characterizes Roger McCleary's litigation practice in the over 30 years he has handled complex commercial and personal injury litigation. Roger has handled commercial and personal injury matters in state and federal courts across the U.S. and has successfully handled dozens of trials in a wide variety of matters. A significant portion of his experience is in complex business, construction, energy, insurance coverage, products liability, and other commercial and personal injury litigation. Roger has frequently spoken on advocacy and litigation management topics at legal seminars. Roger served as the 2012 Chair of The Network of Trial Law Firms.

## Admission to Practice

- Texas, 1984
- U.S. District Courts for the Northern, Southern, Eastern, and Western Districts of Texas
- U.S. Court of Appeals for the Fifth Circuit
- U.S. Supreme Court

## Memberships & Affiliations

- State Bar of Texas
- The Network of Trial Law Firms (NTLF) – Chair (2012)
- American Board of Trial Advocates
- Houston Bar Associations
- Texas and Houston Bar Foundations, Fellow
- Texas Association of Defense Counsel
- Defense Research Institute
- International Association of Defense Counsel

## Representative Presentations

- Presenter, "Commercial Time Bombs: Avoiding and Defusing," Lit. Mgmt. Supercourse, NTLF, April 2015
- Presenter, "Wining Your Case Before Trial (Gut Plaintiff's Case Through Plaintiff's Expert Witnesses)," Lit. Mgmt. Supercourse, NTLF, April 2014
- Moderator, "Litigation Management," Lit. Mgmt. Supercourse, NTLF, August 2011
- Presenter, "Copycat Liability," Lit. Mgmt. Supercourse, NTLF, June 2011, Aug. 2010 & Nov. 2009
- Moderator, "E-Discovery Challenges Facing In-House Counsel," Lit. Mgmt. Supercourse, NTLF, Aug. 2009 & Apr. 2009
- Moderator, "Arbitration – Is it Broken? Can it Be Fixed?" Lit. Mgmt. Supercourse, NTLF, August 2008
- Panelist, "Expert Witnesses and How to Destroy/Protect them," Lit. Mgmt. Supercourse, NTLF, Apr. 2007

## Honors & Awards

- American Board of Trial Advocates, Elected Member
- Named "Texas Super Lawyer," *Texas Monthly*

## Representative Cases

- Successfully resolved misappropriation of trade secret claims against oil field product manufacturer
- Successfully represented international energy service company in June 2016 federal court jury trial of wrongful death and personal injury claims arising from Black Elk Gulf of Mexico platform explosion
- Won defense verdict in jury trial over breach of contract/DTPA claims against major bank and won counterclaim verdict awarding attorney's fees
- Favorable settlement of AAA \$17+ million contract dispute between general contractor client and project owner over alleged defects and delays regarding engineering and construction of mining operation
- Obtained summary judgment dismissing \$50 million commercial claim alleging fraud, conspiracy, unjust enrichment, and seeking declaratory judgment against insurance company
- Won \$20 million complex D&O insurance policy coverage dispute and obtained 5<sup>th</sup> Circuit ruling insulating insurer from any obligation to reimburse defense costs or to indemnify regarding consolidated securities fraud class action and shareholder derivative litigation
- Obtained verdict in favor of major homebuilder in six week jury trial concerning residential subdivision built next to Superfund toxic waste dump site
- Won defense verdict in jury trial over refinery construction defect claims
- Won defense verdict in Matagorda County, TX jury trial of claims against insurance agency and agents over alleged policy coverage misrepresentations
- Won defense verdict in Galveston County, TX jury trial over product liability wrongful death claims arising from burns decedent suffered during maintenance of offshore production equipment
- Obtained 5<sup>th</sup> Circuit ruling that the millions bankruptcy court ordered paid to fraudulent creditor were not covered under an executive and organization liability insurance policy because payment was for "ill-gotten gains"
- Won defense verdict in jury trial over product liability burn claims stemming from a boiler explosion
- Successfully resolved directors, officers, and private company liability insurance policy coverage matter involving multi-million \$ policy and arising from claim that allegedly tortious conduct by company and its officers led to failure of another company
- Represented a major medical device manufacturer in multi-district products liability litigation regarding implant used to treat stress urinary incontinence
- Represented major automobile truck and part manufacturers in products liability, wrongful death, and personal injury cases arising from vehicular accidents
- Represented a major consumer products manufacturer in toxic chemical exposure, wrongful death, and survival cases
- Won federal court trial and obtained judgment estopping the FDIC from collecting \$8 million + judgment
- Won favorable jury verdict in false arrest, malicious prosecution, and false imprisonment case
- Won favorable jury verdict in trial over wrongful termination and breach of employment contract claims