

William E. Berry Jr.

Shareholder

Litigation Section Head

Location: Midland, Texas

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Bill is a shareholder in the law firm's Litigation Section and, in 2009, was named a "Rising Star" in Texas Monthly Super Lawyers - Rising Stars Edition." He is licensed to practice before all Texas state courts, the United States Supreme Court, the United States Courts of Appeals for the Fifth Circuit, and the United States District Courts for the Northern and Western Districts of Texas. Bill has argued two appeals before the United States Court of Appeals for the Fifth Circuit, the second of which was before the en banc court and resulted in the court reversing its prior decision as well as a District Court's judgment. Bill is a member of the Texas Association of Defense Counsel and the Defense Research Institute. He served as President of the Ector County Bar Association during the 2004-2005 term and President of the Downtown Rotary Club during the 2004-2005 term. In 1998 and 1999, Bill received the Young Lawyers' Pro Bono Award from West Texas Legal Services. In 1999, he was admitted to the Pro Bono College of the State of Texas.

AREAS OF CONCENTRATION

Personal Injury and Insurance Defense

Bill devotes a significant portion of his practice to defending clients who have been sued in cases involving claims for personal injury and wrongful death, including oilfield injuries, on-the-job accidents, automobile accidents and trucking accidents. He represents several insurance companies and their insureds in all aspects of personal injury lawsuits including claims investigation, pretrial discovery, and trial representation. He has received multiple favorable verdicts on personal injury matters.

Oil and Gas Litigation

Bill also spends much of his time representing clients involved in oil and gas related disputes. On behalf of corporate and individual clients, he prosecutes and defends suits involving operating agreements, master service agreements, drilling contracts, well service contracts, indemnity provisions, surface use issues and royalty payment disputes.

Commercial Litigation

Bill has extensive experience litigating commercial disputes. He has an active and successful trial practice and has successfully resolved lawsuits through trial, summary judgment and voluntary settlement for individuals, corporations and governmental entities in cases involving contract disputes, partnership and corporate/shareholder disputes, breach of fiduciary duty, collection matters, products liability, commercial tort/DTPA lawsuits, fraud and misrepresentation.

General Civil Litigation

Bill also has a broad range of litigation experience involving private and public employment disputes, civil rights claims, and defending governmental entities.

COMMUNITY ACTIVITIES

Bill is active in his church, coached youth soccer, is a past president of the Downtown Rotary Club, is a past president of the Ector County Bar Association, and currently serves on The Life Center's Advisory Council. Bill has competed in, and finished, the Big D. Texas Marathon in 2009 and 2010, the Rock 'n' Roll San Diego Marathon in 2010, the White Rock Dallas Marathon in 2010, the Bath Beat Marathon in Bath, England in 2011, the White Rock Half Marathon in 2011 and two Sprint Triathlons.

EDUCATION

In law school, Bill was an advocate on Baylor's National Mock Trial Team, which won the Regional Finals in Dallas and represented the region and Baylor University at the National Mock Trial Team Finals in Washington, D.C. He was also a member of Baylor's Order of Barristers and recipient of Baylor's Pakis, Giotes, Beard & Page Advocacy Award.

In his undergraduate studies, Bill was named the Outstanding Graduate in Mass Communications, served as Editor-In-Chief of the school newspaper and graduated with honors.

Areas of Practice

- Oil and Gas Litigation
- Personal Injury and Insurance Defense Litigation
- Commercial Litigation
- General Civil Litigation
- Labor and Employment Litigation

Litigation Percentage

100% of Practice Devoted to Litigation

Bar Admissions

- Texas
- U.S. Supreme Court
- U.S. Court of Appeals 5th Circuit

U.S. District Court Northern District of Texas

U.S. District Court Western District of Texas

Education

Baylor University School of Law, Waco, Texas

J.D. - 1998

Honors: A Lead Advocate, Baylor's National Mock Trial Team

Honors: Member, Baylor's Order of Barristers

Honors: Recipient, Baylor's Pakis, Giotes, Beard & Page Advocacy Award

University of Texas of the Permian Basin

B.A. *cum laude* - 1993

Honors: Outstanding Graduate in Mass Communications

Honors: Editor-In-Chief, School Newspaper

Honors: With Honors

Published Works

LITIGATION UPDATE (Co-Author with Kathleen McCulloch), West Texas Rural Counties Association Professional Education Conference, Abilene, TX, October, 2003

RELIGION IN THE WORKPLACE: FINDING A RELIGION THAT WORKS FOR YOU, Lorman Education Employment and Labor Law in Texas Seminar, Midland, TX, December, 2001

TITLE VII AND RELIGION IN THE WORKPLACE, Lorman Education Employment and Labor Law in Texas Seminar, Midland, TX, December, 2000

Representative Cases

[*Communications Workers of America v. Ector County Hosp. Dist.*, 241 F.Supp.2d 617 \(W.D.Tex. 2002\)](#)

[*Communications Workers of America v. Ector County Hosp. Dist.*, 392 F.3d 733 \(5th Cir. 2004\)](#)

[*Communications Workers of America v. Ector County Hosp. Dist.*, 402 F.3d 503 \(5th Cir. 2005\)](#)

[*Communications Workers of America v. Ector County Hosp. Dist.*, 467 F.3d 427 \(5th Cir. 2006\)](#)

Classes/Seminars

Speaker, LITIGATION UPDATE, West Texas Rural Counties Association Professional Education Conference, Abilene, TX, 2003

Speaker, RELIGION IN THE WORKPLACE: FINDING A RELIGION THAT WORKS FOR YOU, Lorman Education Employment and Labor Law in Texas Seminar, Midland, TX, 2001

Speaker, TITLE VII AND RELIGION IN THE WORKPLACE, Lorman Education Employment and Labor Law in Texas Seminar, Midland, TX, 2000

Speaker, TITLE VII AND RELIGION IN THE WORKPLACE, Ector County Bar Association, Odessa, TX, 2000

Honors and Awards

Bill was named a "Rising Star" in Texas Monthly Super Lawyers - Rising Stars Edition.

A Lead Advocate, Baylor's National Mock Trial Team, Baylor University School of Law, Waco, Texas - 1998

Member, Baylor's Order of Barristers, Baylor University School of Law, Waco, Texas - 1998

Recipient, Baylor's Pakis, Giotes, Beard & Page Advocacy Award, Baylor University School of Law, Waco, Texas - 1998

Cum Laude, University of Texas of the Permian Basin - 1998

Outstanding Graduate in Mass Communications, University of Texas of the Permian Basin - 1993

Editor-In-Chief, School Newspaper, University of Texas of the Permian Basin - 1993

With Honors, University of Texas of the Permian Basin - 1993

Professional Associations and Memberships

Bill is a member of the Texas Association of Defense Counsel and the Defense Research Institute. He served as President of the Ector County Bar Association during the 2004-2005 term and President of the Downtown Rotary Club during the 2004-2005 term. In 1998 and 1999, Bill received the Young Lawyers' Pro Bono Award from West Texas Legal Services. In 1999, he was admitted to the Pro Bono College of the State of Texas.

Past Employment Positions

Board of Directors for the law firm

Pro Bono Activities

Bill received the Young Lawyers' Pro Bono Award from West Texas Legal Services. In 1999, he was admitted to the Pro Bono College of the State of Texas. , 1998 - 1999

Languages

English