

# Fee, Smith & Sharp LLP

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## Bret A. Sanders

EQUITY PARTNER



E-MAIL

[bsanders@feesmith.com](mailto:bsanders@feesmith.com)



TELEPHONE

512-428-4672

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Beginning his career as an assistant district attorney in Oklahoma, Bret continues to draw on his public-service experience in private practice, bringing efficient, ethical, contentious representation and the highest level of client service to every client and matter.

## Practice Areas & Education

### PRACTICE AREAS

- Class Action/Consumer Litigation
- Commercial & Business Litigation
- Construction Liability & Defects
- Insurance Coverage/Bad Faith
- Intellectual Property Litigation
- Premises Liability/Retail Litigation
- Products Liability
- Professional Liability
- Transportation Liability

### EDUCATION

## About Bret

### EXPERIENCE

As Managing Partner of Fee, Smith & Sharp's Austin office, Bret handles a wide variety of matters ranging from complex commercial litigation to premises, products, and catastrophic personal injury. He is a leader in Fee Smith's Commercial Business Litigation and Construction Defect practice groups, representing construction clients in claims for defective construction and defective products, insurance coverage, delay claims, contract and lien disputes, toxic mold, and worksite personal injury. He defends catastrophic injury claims for transportation, retail, and hospitality clients as well as professional liability matters. Bret draws on his trial experience, creative problem-solving, and cross-firm collaboration to ensure his clients find resolutions that benefit their business in the short and long term, creating realistic and sensible solutions to solve problems.

Throughout more than two decades of practicing law, Bret has represented some of Texas and Oklahoma's most familiar business owners, contractors, and subcontractors, obtaining successful resolutions to their most important business issues. His clients include national and international contractors, product manufacturers and suppliers, national trucking companies, national

- University of Tulsa, J.D., 1998
- University of California at Davis, B.A., 1996

## BAR ADMISSIONS

- Texas
- Oklahoma

## COURT ADMISSIONS

- U.S. Court of Appeals for the Fifth Circuit
- U.S. District Court for the Southern District of Texas
- U.S. District Court for the Western District of Texas
- U.S. District Court for the Eastern District of Texas
- U.S. District Court for the Northern District of Texas
- U.S. Court of Appeals for the 10th Circuit
- U.S. District Court for the Northern District of Oklahoma
- U.S. District Court for the Eastern District of Oklahoma
- U.S. District Court for the Western District of Oklahoma

## PROFESSIONAL RECOGNITION

- Selected Texas Super Lawyer by Thomson Reuters – Construction Litigation – 2014 to present
- Selected to Texas Rising Stars list by Thomson Reuters – 2011 to 2013

energy companies, national waste management companies, and global insurance companies. Whether he is averting a nine-figure claim on behalf of a highway bridge contractor, recovering on payment claims in arbitration for a general contractor, defeating an owner's counterclaims in a construction defect and delay case, or receiving a defense verdict for a contractor whose fleet vehicle was involved in a life-altering collision, clients know Bret as diligent, hard-working, conscientious, empathetic, and result-driven.

## REPRESENTATIVE MATTERS

- *Acuna v. Pilgrim's Pride Corporation and Aerofreeze, Inc.* Counsel for Defendant Aerofreeze in products liability action. (American Arbitration Association).
- *C.D. Henderson Construction Services, Ltd. v. Capital Metropolitan Transit Authority, et al.* Counsel for plumbing contractor in construction delay and defect suit. (250th District Court, Travis County, Texas).
- *Cencor Realty Services, Inc. v. C.A. Walker, et al.* Counsel for Defendant earthwork contractor in multimillion-dollar commercial construction defect suit. (85th Judicial District Court, Brazos County, Texas).
- *Corso v. Benelux.* Counsel for Defendant Benelux in dram shop death case. (Probate Court No. 1, Travis County, Texas).
- *Harmeyer v. Bubu, Inc., et al.* Counsel for Defendants in wrongful death action. (207th District Court, Hays County, Texas).
- *Harness v. Intervest-Bradford.* Counsel for Defendant in copyright action involving photographs distributed throughout the world on the Internet. (N.D. Tex. – Dallas).
- *Hintze v. Zurich American Insurance Company.* Counsel representing Zurich in bad faith, fraud and employment action. (95th Judicial District Court, Dallas County, Texas).
- *Hobbs v. Crist Industries.* Counsel representing Crist Industries in construction site wrongful death suit. (E.D. Tex. – Beaumont).
- *In re Kitec Plumbing System Products Liability Litigation.* Counsel for Defendant subcontractor in class construction products liability case. (MDL – N.D. Tex. – Dallas).
- *Remo v. Apache Corporation.* Counsel for Defendant Apache in swing rope transfer (OCSLA) case. (334th District Court, Harris County, Texas).
- *Walker v. Wilshire Homes Houston, Ltd., et al.* Counsel for Wilshire in class action construction case. (11th District Court, Harris County, Texas).
- *Zaragoza Salcido, et al. v. Pyramid Logistics Group, Inc.* Counsel for Defendants Pyramid and Pacific Drive, Inc., in wrongful death action. (111th District Court, Webb County, Texas).

## PROFESSIONAL AFFILIATIONS

- Bar Association of the Fifth Federal Circuit
- State Bar of Texas
- State Bar of Oklahoma
- Texas Association of Defense Counsel
- Travis County Bar Association
- Dallas County Bar Association
- Defense Research Institute

## REPORTED CASES

- Dunn vs. Enterprise Leasing Company of Denver, 2006 U.S. District, Lexis 90999.

## VERDICTS & SETTLEMENTS

- Gabriel Acuna v. Pilgrim's Pride Corp. and Aerofreeze, Inc. No damages awarded against client, Aerofreeze, Inc., after hearing in traumatic brain injury products liability case (American Arbitration Association).
- Love v. Ranger Excavating, LP, and McKenzie Interests, Inc. Defense verdict on behalf of clients where Plaintiff claiming construction vibrations from highway construction (heavy equipment) damaged Plaintiff's home (Travis County Court at Law, January 2011).
- Collins Lee Herron v. Donovan Thelwell and C.G. Hinds Logistics, Inc. Defense verdict on behalf of clients in trucking accident (Bexar County District Court, April 2011).
- D&D Moving and Storage, Inc. v. Brazos Valley Hotel, LP. Defense verdict on behalf of client where Plaintiff claiming continuous underground sewage flowing from Defendant's property caused damages by rendering Plaintiff's property unusable (Brazos County District Court, June 2011).