

Fee, Smith & Sharp LLP



Timothy R. George

SENIOR APPELLATE COUNSEL



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Tim George is an AV-rated, attorney with significant experience in federal and state business litigation and appeals, emphasis on briefing, research, analysis and insurance coverage.

Practice Areas & Education

PRACTICE AREAS

- Commercial & Business Litigation
- Insurance Coverage/Bad Faith
- Appeals

EDUCATION

- Harvard Law School, J.D., 1986 (cum laude)
- Southern Methodist University, B.A., 1983 (summa cum laude)

BAR ADMISSIONS

- Texas

COURT ADMISSIONS

About Timothy

EXPERIENCE

Tim George is an AV-rated, seasoned attorney with significant experience in federal and state business litigation and appeals, with a particular emphasis on briefing, research, analysis and insurance coverage. Mr. George is a cum laude graduate of Harvard Law School, a summa cum laude graduate of Southern Methodist University, and has spent his entire career working on complex, sophisticated business matters for a variety of clients, including Fortune 500 corporations, insurance companies, small businesses and individuals.

Mr. George has handled a broad range of matters, including assisting in complex litigation, insurance coverage analysis and commercial business litigation, and has had primary responsibility for handling appeals and mandamus proceedings in Texas and elsewhere, in both state and federal courts. Mr. George, as senior counsel to the firm, provides litigation support, prepares complex pre- and post-trial motions and insurance coverage opinions, handles insurance coverage litigation, and handles appeals and mandamus proceedings.

REPRESENTATIVE MATTERS

- U.S. Court of Appeals for the Fifth Circuit
- U.S. District Court for the Eastern District of Texas
- U.S. District Court for the Northern District of Texas

PROFESSIONAL AFFILIATIONS

- AV Rated by Martindale Hubbell
- Appellate Section, State Bar of Texas
- Insurance Section, State Bar of Texas
- Dallas Bar Association

- *In the Matter of Berry*. Successfully defended a bankruptcy court's finding of an avoidable preference on appeal to the United States Court of Appeal for the Fifth Circuit.
- *Prime Income Asset Management, Inc. v. American Real Estate Holdings, LP*. Researched and briefed appellate issues before all levels of the New York court system on behalf of a local real estate development company.

ARTICLES

- "Protecting the Idea Man," Dallas Bar Headnotes, Dec. 2005

RECENT APPELLATE & REPORTED VICTORIES

Since joining the firm, Mr. George has been instrumental in winning a string of complex appeals, mandamus proceedings or reported summary judgment or other decisions, including:

- *In re Baker*, 420 S.W.3d 397 (Texarkana Court of Appeals, 2014). Setting aside order granting a motion for new trial and requiring trial court to enter judgment on a defense verdict at trial.
- *In re Greyhound Lines, Inc.*, 2014 WL 1022329 (Dallas Court of Appeals, 2014). Requiring trial court to grant leave to designate a responsible third party under Texas law.
- *Spruell v. USA Gardens at Vail LeasCo, L.L.C.*, 2013 WL 362740 (Dallas Court of Appeals, 2013). Upholding summary judgment granted on negligence and premises liability claims arising from an accident at an apartment complex.
- *Gonzalez v. VATR Const. LLC*, 418 S.W.3d 777 (Dallas Court of Appeals, 2013). Upholding summary judgment granted on negligence and premises liability claims arising from an accident at a construction site.
- *First Mercury Ins. Co. v. Horizon Roofing, Inc.*, 2013 WL 1481988 (Northern District of Texas, 2013). Dismissing insurance coverage action as premature.
- *Hamilton v. XTO Energy, Inc.*, 2012 WL 4450352 (Fort Worth Court of Appeals, 2012). Upholding summary judgment granted on negligence claims arising from an accident at an oil and gas well site.
- *Exel Transportation Services, Inc. v. Aim High Logistics Services, Inc.*, 2010 Tex. App. LEXIS 4444 (Dallas Court of Appeals). Reversing trial judgment against a client of the firm based upon insufficient evidence of lost profit damages and related issues.
- *In re Indianapolis Life Insurance Co. Marketing Litigation* (United States Judicial Panel on Multidistrict Litigation decision, April 1, 2010). Denying transfer of two federal interpleader actions filed against clients of the firm into a pre-existing MDL proceeding.

- *OOIDA Risk Retention Group, Inc. v. Williams*, 579 F.3d 469 (5th Circuit Court of Appeals, 2009). Reversing summary judgment granted against an insurer client of the firm who sought a declaration that it owed no duty to defend or indemnify a trucking company's driver in connection with an accident that killed the insured's owner, who was a passenger at the time of the accident.
- *In re Millennium Multiple Emplr. Welfare Benefit Plan*, 2009 Tex. App. LEXIS 31 (Dallas Court of Appeals). Refusing petition for writ of mandamus regarding trial court's decision on a motion for attorney disqualification.
- *In re Continental General Insurance Co.*, 2008 U.S. App. LEXIS 27496 (5th Circuit Court of Appeals). Refusing petition for writ of mandamus regarding trial court's venue decision in favor of client.
- *Phila. Indem. Ins. Co. v. Hallmark Claims Serv.*, 2008 U.S. Dist. LEXIS 101484 (Northern District of Texas). Granting summary judgment in favor of client insured regarding commercial insurance coverage dispute.
- *Wise Reg'l Health Sys. v. Brittain*, 268 S.W.3d 799 (Fort Worth Court of Appeals, 2008). Upholding trial court's denial of a state hospital's claim to immunity in wrongful death action.
- *Cal Rossi v. Lankler Siffert and Wohl, LLP*, 246 Fed. Appx. 856 (5th Circuit Court of Appeals, 2007). Successfully obtained reversal of trial court's order dismissing action on grounds of personal jurisdiction.
- *Morrison v. Allen*, 2006 Tex. App. LEXIS 7367 (Fort Worth Court of Appeals, 2006). Successfully defended jury verdict for fraud, conversion and violations of the Deceptive Trade Practices Act.