

**MICHAEL HENDRYX**

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Mike Hendryx represents clients in a variety of commercial, coverage, tort, environmental and employment fields. He has tried numerous cases in Texas and state and federal courts and represented clients in jurisdictions outside of Texas. At various times Mike served as regional trial and coordinating counsel.

Mike's accomplishments as a trial lawyer have been recognized by his peers, who have elected him as a member of the American Board of Trial Advocates (ABOTA). ABOTA is a group of trial lawyers representing both sides of the Bar. Membership is by invitation only.

He has also been selected to be in the Top 100 Texas Lawyers and Top 100 Houston Lawyers by Texas Super Lawyers (a Thomson Reuters® service) and in America's Top 100 Attorneys – Southern Texas – Lifetime Achievement.

Mike served as the President of the Texas Association of Defense Counsel for the 2016-2017 term.

**Primary Practice Areas:****Commercial Litigation**

- Defense of a major pipeline operator in claims involving product specification and pipeline operation;
- Represented a multi-national polypropylene manufacturer in an action arising from the firing of a general contractor in the course of a major plant expansion project;
- Counsel for a petrochemical plant owner and operator in an arbitration in which a customer claimed that damages from an off-spec product caused a complete shutdown and rebuilding of critical parts of its plant;

**Policyholder Recovery**

- Prosecuted insurance recovery and bad faith lawsuit for Texas exploration and drilling company against major U.S. insurer and Lloyd's of London;
- Filed suit and recovered umbrella and excess policy proceeds from U. S. insurers on behalf of international manufacturer;
- Sued Lloyd's of London on behalf of petrochemical policyholder;
- Represented various commercial policyholders in locating lost policies and in negotiating buy-out and coverage-in-place agreements.

- Represented a CEO of a publicly traded MLP in class action litigation challenging acquisitions of related companies;
- Prosecuted a claim by a pipeline owner against an adjacent pipeline operator for damages resulting from improper cathodic protection;
- Prosecuted claims on behalf of a pipeline company against a pipe manufacturer for defective pipe used in the construction of a new pipeline;
- Represented a major environmental equipment manufacturer regarding performance and warranty disputes;
- Counsel for a multi-national corporation in the prosecution of claims related to defective railcar interior linings and exterior coatings.

#### Premises Liability

- Counsel for a pipeline company in wrongful death and personal injury suits arising from a fire and explosion during routine valve maintenance;
- Defense of a pipeline company in a series of personal injury, wrongful death, and property damage suits arising from an automobile collision with a valve station that resulted in an uncontrolled release of propylene;
- Represented a petrochemical company in suits claiming plant site exposure to benzene and other chemicals by construction and maintenance employees.

#### Employment Law

- Represented petrochemical, service, and trucking companies with OSHA investigations, citation contests/appeals and settlements;
- Represented a multi-national polypropylene manufacturer in an action arising from the firing of a senior engineer for financial irregularities;
- Defense of trucking company in employment discrimination suits filed by drivers and office personnel involving sex, age, national origin, and retaliation.

- Successfully recovered from London insurers for Wind Farm owner, following multi-million dollar fire. Insurers unsuccessfully sought to exclude coverage under London Engineering Group 1/96 endorsement and one year suit requirement under New York law.

#### Toxic Tort Litigation

- Regional Trial and Coordinating Counsel for asbestos, silica and breast implant manufacturers;
- Counsel for refining company in defense of hundreds of personal injury and property damage claims by neighboring homeowners following chemical release.

#### Products Liability

- Defended a major drilling equipment manufacturer in various lawsuits arising from defective design and manufacturing claims;
- Represented major valve manufacturer in personal injury litigation alleging defective design and manufacturing following H2S release.

#### Environmental Law

- Defended Texas exploration and drilling company in Louisiana legacy liability litigation brought by land owners and government entities arising from the drilling and operation of oil and gas wells;
- Represented major petrochemical corporation in CERCLA litigation arising out of past plant operations;
- Counsel for a petrochemical company in claims by the EPA and others arising from a Superfund site;
- Represented former property owner in an action involving CERCLA and related state claims;
- Counsel for a petrochemical company in a series of lawsuits brought by hundreds of citizens alleging loss of property value and groundwater contamination as a result of leaks and releases of gas and chemicals;
- Obtained Municipal Setting Designation to resolve environmental pollution claims against corporate successor to valve cleaning company.

**Memberships/Affiliations:**

- Texas Association of Defense Counsel – President [2016-2017]
- State Bar of Texas
- State Bar of Texas Litigation Council Legislative Committee
- Texas Bar Foundation – Life Fellow
- Houston Bar Association
- Houston Bar Foundation – Sustaining Life Fellow
- American Board of Trial Advocates (ABOTA)
- Amicus Curiae Committee, Texas Chapters of American Board of Trial Advocates
- Foundation of the American Board of Trial Advocates - Fellow
- Defense Research Institute
- All Texas State Courts
- U.S. District Courts Southern, Eastern, Northern and Western Districts of Texas
- U.S. Courts of Appeal for Fifth and Eleventh Circuits
- U.S. Supreme Court

**Education:**

- University of Houston, Bates College of Law, J.D., 1977
- University of Notre Dame, BBA, 1970

**Publications/Speaking:**

- Working Alone or as a Team: The Ethical Issues Involved: 32<sup>nd</sup> Advanced Evidence and Discovery Course – State Bar of Texas (April 2019)
- Civility – Reinforcing the Values of the Profession: 39th Advanced Civil Trial Course – State Bar of Texas (October 2016)
- Legislative Update and How It Affects Your Practice: 2016 Advanced Civil Trial Course - State Bar of Texas (July 2016)
- Preparing For, Taking Depositions, and Preparing Witnesses - 2016 Texas Association of Defense Counsel Trial Academy (April 2016)
- Legislative Update: 2015 Advanced Personal Injury Trial Course - State Bar of Texas (April 2015)
- The New Medicare Rules and Their Effect on Discovery Settlements and Judgments - Jefferson County Bar Association (September 2010) and Propane Gas Defense Association (October 2010)
- Removal Based on the Federal Officer Removal Statute and Federal Enclave Jurisdiction - Texas Association of Defense Counsel (2008 Spring Meeting)
- OSHA and DOT Compliance . . . Protecting The Company: How to be Prepared for an Audit or Investigation - Propane Gas Defense Association (October 2007)
- Incident Investigations and Avoiding Potential Complications Following Acquisitions/Mergers - Texas Chemical Counsel (June 2007)
- Preparing a Corporate Witness for Deposition - Texas Association of Defense Counsel, (April 2005) and Propane Gas Defense Association (October 2006)
- Taking the Deposition of the Plaintiff - Young Lawyers Seminar, Texas Association of Defense Counsel (November 2004)

- Medi-Headaches: The New Medicare Rules and Their Effect on Discovery, Settlements, and Judgments - Texas Association of Defense Counsel (Spring 2010 Meeting)
- Biomonitoring, Toxicogenomics and Other Emerging Tools Used to Analyze Causation - ABA Section of Litigation Products Liability and Mass Torts Committees panel member, Regional CLE Workshop (September 2009)
- Corporate CEOs and Employees: How to Keep Them from Being the Plaintiff's Star Witnesses - Propane Gas Defense Association (April 2009)
- Texas MDL vs. Federal MDL & the Potential for the Texas MDL: Practice & Professional Considerations - Texas Association of Defense Counsel (2004 Spring Meeting)
- Professionalism and Ethics - Texas Association of Defense Counsel, (2004 Spring Meeting)
- The Joint Defense . . . or How To Keep All of the Defendants from Shooting One Another in the Foot - Texas Association of Defense Counsel (2002 Fall Meeting)
- Joint Defense Agreements - Texas Association of Defense Counsel (1992 Spring Meeting)

#### **Honors and Awards:**

- DRI Exceptional Performance Citation 2016-2017
- America's Top 100 Attorneys™ (by America's Top 100 LLC) - Lifetime Achievement
- *Best Lawyers*® (by Levine Leichtman Capital Partners)
  - *The Best Lawyers in America*©
    - Commercial Litigation (2011-2021)
    - Litigation – Environmental (2011-2021)
    - Litigation – Labor and Employment (2011-2021)
    - Personal Injury Litigation – Defendants (2013-2021)
- Texas Super Lawyers (a Thomson Reuters® service), 2008-2020
  - Super Lawyers Top 100 Texas Lawyers (2016)
  - Super Lawyers Top 100 Houston Lawyers (2015-2016)
  - Super Lawyers Corporate Counsel/Business Edition (2009-2016)
- Texas Association of Defense Counsel President's Special Recognition Award (2016)
- Texas Association of Defense Counsel President's Award (2007)
- Martindale Hubbell AV rated

#### **Representative Community Service:**

- Board of Directors Houston Area Parkinson Society (President 2013-15, Chairman 2016)
- Board of Directors and Finance Committee, Bayou Preservation Association (2013-2017)
- Chairman of Board of Trustees Christ Church Cathedral Endowment (2013)