

YETTER COLEMAN

Christian J. Ward

Senior Counsel

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Board-certified for appellate law by the Texas Board of Legal Specialization, Chris focuses his practice on complex appellate work. He represents major companies across a wide range of industries, including energy, insurance and financial services, as well as governmental entities and private parties. He handles litigation against governmental entities in federal and state courts throughout the country and before the U.S. Supreme Court. He has briefed numerous successful appeals and led oral arguments in federal and state appellate courts.

Credentials

- Harvard Law School
  J.D., *cum laude*
  Notes Editor, Harvard Law Review
  Editorial Staff,*Harvard Journal of Law and Public Policy*
- Hampden-Sydney College
  B.A., Economics & Classics, *cum laude*
  Eta Sigma Phi
  Omicron Delta Epsilon
- Law Clerk to the
  Hon. Will Garwood
  U.S. Court of Appeals for the Fifth Circuit
- Board Certified in Civil Appellate Law,
  Texas Board of Legal Specialization
- Admitted to Practice:
  Texas

Chris is admitted to practice in Texas, the U.S. Court, the U.S. Courts of Appeals for the Second, Fifth, Ninth, and District of Columbia Circuits, and the U.S. District Courts of Texas.

Chris was a law clerk for Judge Will Garwood of the U.S. Court of Appeals for the Fifth Circuit. Before attending law school, he worked as a Latin teacher, for the Republican Party of Texas, and for Texas State Senator Jane Nelson.

Experience

- **Venoco Liquidating Trustee v. Plains All American Pipeline.** Briefed and argued successful Ninth Circuit appeal to revive oil company's tort claims against pipeline operator arising from 2015 California oil spill. During trial in California after remand, helped secure a $100 million settlement for the bankruptcy trustee suing for harm to the oil producer put out of business by the rupture, spill, and shutdown of the pipeline transporting its oil.
- **Bridges v. Houston Methodist Hospital.** Fifth Circuit affirmed dismissal of 119 plaintiffs' claims against hospital for implementing a COVID-19 vaccine policy
- **JSW v. MM Steel** Upheld in the Fifth Circuit a $160 million award of treble damages in a group boycott case under the per se rule of liability. The United States Supreme Court denied certiorari.
- **Venoco v. Plains Pipeline** Briefed and argued successful Ninth Circuit appeal to revive oil company's tort claims against pipeline operator arising from massive 2015 California oil spill.
- **Joseph Hardesty, et al.** Helped secure an unanimous federal jury trial win for two mining families in California and upheld liability judgment on appeal in the Ninth Circuit. Sacramento County violated plaintiffs' procedural and substantive due process rights by improperly shutting down a sand-gravel mine at the urging of a large competitor.
- **Valero Refining v. Galveston County Appraisal District** Obtained rulings from the Texas Supreme Court favorable to all issues presented in an ad valorem tax appeal. Specifically, the Supreme Court held that a taxpayer may appeal appraisal of separate accounts established by the taxing authority relating to a single petrochemical facility.
- **Business Logic Holding Corporation v. Morningstar et al.** In a complex case involving financial software in the retirement sector, was part of trial

team that secured a $61 million cash settlement that represented 95% maximum claimed damages by our client, Business Logic.

- **TracFone v. Commission on State Emergency Communications** Successfully represented a prepaid wireless phone company in the appeal of a state agency's decision that it owed 911 fees under a statute originally intended to impose the fee on monthly billed wireless service. The firm represented TracFone at all stages of the appeal, and the Texas Supreme Court held, as we argued, that applying the fee to prepaid wireless service was not authorized by statute and would result in illegal double taxation.
- **Exxon Mobil Corp. v. Saudi Basic Industries Corp.** Successful appeal to the U.S. Supreme Court clarifying the jurisdictional Rooker-Feldman doctrine.
- **CenterPoint Energy v. Gulf Coast Coalition of Cities** Represented CenterPoint before the Texas Supreme Court in a successful appeal regarding the utility's stranded-cost true-up following Texas's electric deregulation.
- **CenterPoint Energy Houston Electric, LLC v. Public Util. Comm'n of Tex.** Successfully represented utility in administrative appeal challenging agency's misinterpretation and misapplication of rule, which had cost utility several million dollars in energy efficiency performance incentives to which it was entitled.
- **Northwest Austin Municipal Utility District No. 1 v. Holder** Litigation ending in successful appeal to the U.S. Supreme Court regarding the "preclearance" and "bailout" provisions of the Voting Rights Act.
- **Whiteman v. Dorotheum GMBH & Co.; Republic of Austria** Successful appeals on behalf of the Republic of Austria in Second Circuit and U.S. Supreme Court that permitted payments from an Austrian fund to start flowing to victims of the Holocaust and their heirs.
- **Canatxx v. General Electric Capital Corp.** Reversal on appeal of $137 million commercial tort verdict.
- **Saudi Basic Industries Corp. v. Mobil Yanbu Petrochemical Co.** Successful defense on appeal of $417 million commercial tort verdict.
- **Morgan v. Plano Independent School District** Represented Plano (Texas) ISD in successful appeal involving a facial challenge under the First Amendment to policy regarding students' distribution of non-curricular written materials.
- **Doctors Hospital and GE HFS v. Beazley Insurance Co.** Represented GE HFS in the U.S. Court of Appeals for the Fifth Circuit in appeal regarding insurer's breach of contract. The verdict was ranked among the top 100 national and top 25 Texas verdicts of 2010.
- **University Interscholastic League v. Texas Association of Sports Officials** Successful appeal to the Third Court of Appeals, Austin, Texas, in which the court ultimately declared the UIL's eligibility for sovereign immunity.

Professional Honors & Affiliations

- *Best Lawyers in America* in Appellate, 2013-2027
- "Texas Super Lawyer" in Appellate, *Thomson Reuters*, 2012-2026
- "Texas Rising Star," by Thomson Reuters' Super Lawyers in *Texas Monthly Magazine*, 2008-2011
- "The Republican from Harvard," *Texas Super Lawyers*, April 2009
- Past President: The Federalist Society, Austin Lawyers Chapter

Presentations & Publications

- "Access to Justice Pro Bono Champion Profile: Dori Goldman and Chris Ward," Texas Bar Journal, July/August, 2021
- "The Limits of Comprehensive Peace: The Example of the FLSA," *Berkeley Journal of Employment & Labor Law* 38:2 (co-author), 2017
- "The Impact of Wal-Mart v. Dukes on Employment Law Class Actions and FLSA Collective Actions," State Bar of Texas 2013 Labor and Employment Law Institute (co-author)
- "Anatomy of a Good Oral Argument," Appellate Practice Conference (National Attorneys General Training and Research Institute), 2012
- "Morrison v. National Australia Bank: The Impact of Institutional Investors," White paper for the Council of Institutional Investors, 2012
- Testimony to Texas Senate regarding the constitutional standard for legislation requiring voter identification, 2011
- Testimony to Texas House State Affairs Committee regarding the constitutionality of legislation requiring a sonogram to be provided to a patient considering pregnancy termination, 2011
- "Developments in Foreign Sovereign Immunity," CLE Presentation, ABA International Law Section Spring Meeting, 2011
- "Oral Advocacy: A Video-Based Review," CLE Presentation(co-presented with Greg Coleman), National Association of Attorneys General, 2008-2010
- "Northwest Austin Municipal Utility District Number One v. Holder," CLE and Symposium Presentations, 2009

- "Jury Charges," CLE Presentation , University of Houston Law Center Litigation and Trial Tactics, 2007, 2009
- "Appellate Mediation in Texas and Beyond," State Bar Litigation Section Report: The Advocate, Fall 2007 (co-author)
- Employee Benefits Law (2d. Ed.), 2005 Cumulative Supplement, Ch. 12 III.L., Class Actions (contributing author)
- "Note: Non sub Homine? A Survey and Analysis of the Legal Resolution of Election 2000," (114 Harv. L. Rev. 2170), 2001