Connie H. Pfeiffer

PARTNER

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713.632.8065

Credentials

- The University of Texas School of Law
  J.D., *with honors*
  Outstanding Appellate Advocate
- The University of Tennessee
  B.A., *summa cum laude*
  Whittle Scholar
- Board Certified in Civil Appellate Law,
  Texas Board of Legal Specialization
  2010 – present
- Admitted to practice:
  Texas
  U.S. District Courts for the Eastern, Southern, and Western Districts
  U.S. Courts of Appeals for the Fourth, Fifth, and Federal Circuits
  U.S. Supreme Court

Connie leads Yetter Coleman's appellate practice and serves on the Firm's Management Committee. She has an extensive record of success in state and federal appellate courts, including regularly appearing before and arguing in the Texas Supreme Court.

As a board-certified appellate specialist, Connie provides strategic counsel to plaintiffs and defendants in a wide spectrum of industries involving complex business disputes, legal malpractice and fiduciary claims, personal injury, statutory, and procedural issues.

While she relishes courtroom advocacy, Connie knows that most appeals are won because of the issues preserved at trial and the quality of briefs on appeal. She invests her energy in writing briefs that are both persuasive and a pleasure to read. Connie also values having strong relationships with clients and trial teams and planning long-term case strategy from the earliest stages of a suit.

Connie's reputation for excellence is reflected in professional honors that include being named both a "Top 100 Super Lawyer in Texas" and among the "Top 50 Women in Texas." She also is band-ranked and recognized by clients and market peers as one of the top appellate lawyers in Texas by *Chambers USA*.

Best Lawyers named Connie the "Appellate Lawyer of the Year" and *Texas Lawyer* named her "Appellate Lawyer of the Week" in connection with a high-profile win in the Texas Supreme Court. Prior to joining the firm, Connie was an appellate partner with Beck Redden LLP.

Connie serves on the Texas Supreme Court Advisory Committee for 2021-2023 and on the Board of Directors for the Bar Association of the Federal Fifth Circuit. In 2013, the U.S. Senators from Texas appointed Connie to their bipartisan Federal Judicial Evaluation Committee (FJEC), where she has served through both Republican and Democrat administrations to screen and recommend to the Senators nominees for vacancies on the federal bench and U.S. Attorney offices in Texas. Connie further serves the profession as a frequent speaker and author at legal seminars, adjunct professor at her alma mater (The University of Texas School of Law), and on various professional boards. She has volunteered her time to the Houston community by serving for four years as Corporate Secretary for the River Oaks Chamber Orchestra.

Experience

- **Defamation/Jury Charge** . Won unanimous reversal of multi-million defamation judgment against hospital system based on arguments about how to interpret jury charge. *See Memorial Hermann Hosp. Sys. v. Gomez* , 649 S.W.3d 415 (Tex. 2022).
- **Evidence.** Recognized as "Appellate Lawyer of the Week" by *Texas Lawyer* and featured in *Law360* for Texas Supreme Court Victory reversing a $9.6 million judgment against Diamond Offshore Services. On appeal, Connie argued that the trial court abused its discretion in excluding a surveillance video of the plaintiff performing manual labor while seeking damages for personal injuries. The Court unanimously agreed and provided significant guidance about the application of Texas Rule of Evidence 403 in civil trials. *See Diamond Offshore Servs. v. Williams*, 542 S.W.3 539 (Tex. 2018).
- **Statutory Interpretation / Constitutional Law.** Led the charge in the Texas Supreme Court to overturn an erroneous Fifth Circuit decision and restore a correct interpretation of the Texas Constitution. The victory is a landmark decision for Texas homeowners who face foreclosure on unconstitutional home equity loans. *See Wood v. HSBC Bank USA NA*, 505 S.W.3d 542 (Tex. 2016).
- **Products Liability.** Represented Genie Industries, one of the world's largest aerial-lift manufacturers, on appeal in the Texas Supreme Court, successfully securing a reversal and rendition of an adverse products liability judgment in a wrongful death case. *See Genie Industries, Inc. v. Matak*, 462 S.W.3d 1 (Tex. 2015).
- **Legal Malpractice.** Authored amicus brief in Texas Supreme Court on behalf of Attorney's Liability Assurance Society (ALAS), a leading insurer for law firms, and successfully advocated a position that was fully adopted in the court's opinion. *See Erikson v. Renda*, 590 S.W.3d 557 (Tex. 2019). Frequently represents major law firms.
- **Medicaid Fraud / False Claims Act.** Served as lead appellate counsel for Xerox Corporation and related defendants facing $3 billion in liability in civil suit brought by the State of Texas under the Texas Medicaid Fraud Prevention Act. Handled multiple mandamus and interlocutory appeal proceedings from 2015 – 2019 to resolve significant pre-trial issues.
- **Personal Injury .** Successfully upheld multi-million-dollar personal injury judgment against pipeline company. See *Primoris Energy Servs. Corp. v. Myers,* 569 S.W.3d 745 (Tex. App.—Houston [1st Dist.] 2018, no pet.).
- **Class Actions.** Successfully upheld summary judgment in the Fifth Circuit for waste company defendants facing a nuisance class action. See *Gao v. Blue Ridge Landfill TX, L.P.* , 783 Fed. Appx. 409 (5th Cir. 2019).
- **Antitrust, Unfair Competition, Business Disparagement.** Served as lead appellate counsel during trial for major hospital system facing antitrust, business disparagement, and tortious interference claims from a plaintiff seeking more than $50 million.

- **Employment Contracts / Fiduciary Liability.** Served as lead appellate counsel for energy defendants facing claims of more than $160 million under an employment contract. Attended three-week trial in 2020 involving claims for breach of contract, theft of trade secrets, fraud, breach of fiduciary duty, and conversion.
- **Complex Commercial / Partnership Disputes.** Successfully reversed and rendered $54 million judgment on appeal after a jury found in favor of plaintiffs on nine claims, including fraud, breach of contract, and minority oppression, all arising from the breakup of an alleged oral partnership. See *Citrin Holdings, LLC and Jacob Citrin v. Matthew Minnis and Cullen 130, LLC*, No. 14-11-00644-CV (Tex. App.—Houston [14th Dist.] 2013, pet. denied).

Professional Honors & Affiliations

- "Top 100 Super Lawyers" in Texas, 2019-2021, 2023
- "Top 100 Super Lawyers" in Houston, 2018-2023
- "Top 50 Women in Texas," *Texas Super Lawyers*, 2018-2021, 2023
- *Chambers USA: America's Leading Business Lawyers* in Texas Appellate, 2018–2023
- *Best Lawyers in America* in Appellate, 2015-2023
- "Texas Super Lawyer" in Appellate, *Thomson Reuters*, 2014-2023
- "Under 40 Hot List," in Appellate, *Benchmark Litigation*, 2016-2018
- 2013 Woodrow B. Seals Outstanding Young Lawyer Award, Houston Young Lawyers Association
- Member: Texas Supreme Court Advisory Committee, 2020 – present
- Member: Federal Judicial Evaluation Committee, 2013 – present
- Board of Trustees: Texas Supreme Court Historical Society
- Life Fellow: Texas Bar Foundation
- Life Fellow: Houston Young Lawyers Foundation
- President's Award of Merit, Texas Young Lawyer's Association, 2009

Presentations & Publications

- Attorneys and the Media, Advanced Civil Trial Course (July, October 2023)
- Excessiveness Review of Damages, Conference on State and Federal Appeals (co-presented with Jeff Levinger) (June 2022)
- Attorneys and the Media, Advanced Civil Appellate Course (December 2021)
- Meet the Press: Working Effectively with the Media, Conference on State and Federal Appeals (co-presented with Natalie Posgate) (June 2021)
- Texas Supreme Court Update, Texas General Counsel's Forum (August 2020)

- Business Development for Women, HBA 2020
- "Behind the Scenes: How the Texas Supreme Court Really Works," Advanced Civil Appellate Course, September 2019 (presenter)
- "Error Preservation and Crafting the Jury Charge," The University of Texas School of Law, October 2019 (guest lecturer)
- "Texas Supreme Court Update," Advanced Civil Trial Course, 2017
- "Texas Supreme Court Update, Conference on State and Federal Appeals, June 2017 (co-presenter with Justice Jeff Boyd)
- "Hot Topics in Damages," Conference on State and Federal Appeals, 2016 (author and presenter)
- Civil Appellate Practice 101 Course Director, 2015
- "Permissive Appeals in Texas," The Advocate, Fall 2015 (author)
- "Stare Decisis in the Lone Star State," The Advocate, Summer 2015 (author)
- "Statutory Construction," Conference on State and Federal Appeals, 2015 (author and presenter)
- "Post-Trial Motions," Civil Appellate Conference, 2014 (author and presenter)
- "Statutory Interpretation," Harris County CLE for the Judiciary, 2014 (author and presenter)
- "Preserving Error and Crafting the Jury Charge," State Bar of Texas Webcast, 2014 (author and presenter)
- "Preserving Error and Crafting the Jury Charge," Advanced Personal Injury Course, 2013 (author and presenter)
- "How to Draft a Jury Charge and Use It Throughout Your Case," Success Strategies and Key Lessons for Young Lawyers, 2012 (author and presenter)
- "Statutory Interpretation," Advanced Civil Appellate Practice Course, 2011 (author and presenter)
- "Four Suggestions for the Future," The Advocate, Winter 2009 (author)
- "The Jury Charge," Advanced Civil Appellate Practice Course Boot Camp, 2009 (presenter)
- "The Jury Charge," Texas Bar CLE on Employment, 2009 (presenter)
- "The Jury Charge," Ten Minute Mentor, 2009 (presenter)
- "Electronic Discovery," Harris County CLE for the Judiciary, 2006 (presenter)