



George A. ("Tony") Mallers
Shareholder

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Practice Areas

- Family Law
- Business Litigation
- Construction Law
- Real Estate Litigation & Transactions
- Commercial Landlord – Tenant Litigation
- Corporate and Business
- Probate Litigation



Practice Emphasis

George A. (Tony) Mallers is a Shareholder in the Plano office of Cowles & Thompson and he is the Firm's Section Head of the Construction Practice Group and the Family Law Practice Group. His practice is based primarily in the areas of family law, civil litigation, and corporate and real estate transactions and closings. For the past 27 years, Tony has represented individuals and companies in a wide variety of complex cases, including divorce, child custody, property division, child support, post-divorce modification and enforcement, business litigation, probate disputes and litigation, and landlord-tenant cases. His broad based civil practice has included representation from both the Plaintiff's and Defendant's side of the docket. Tony routinely handles matters throughout the Dallas Fort Worth area, including Collin, Denton, Rockwall, Ellis, and Kaufman Counties.

Family Law

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| <ul style="list-style-type: none"> • Divorce • Annulment • Property Division • Premarital and Post marital agreements • Alimony | <ul style="list-style-type: none"> • Child Support • Child Custody and Visitation • Paternity • Post divorce Modification • Post divorce Enforcement |
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Business and Real Estate Litigation

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| <ul style="list-style-type: none"> • Breach of Contract • Breach of Lease • Fraud • Negligence • Deceptive Trade Practices Act | <ul style="list-style-type: none"> • Commercial Landlord-Tenant • Eviction • Employment contracts • Covenants Not to Compete |
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Wills and Probate

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| <ul style="list-style-type: none"> • Preparing Wills and Trusts • Probating Wills and Representing Executors during Probate | <ul style="list-style-type: none"> • Contesting or defending Wills in Court • Healthcare Power of Attorney • Directive to Physicians |
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Representative Matters

Business/Commercial Litigation

- June 2010 - Tony Mallers filed a Rule 12(b)(6) Motion to Dismiss in the United States Bankruptcy Court seeking dismissal of RICO claims against his clients in a multi-party adversary proceeding. The court granted the motion dismissing those claims.

- November 2009 – Tony Mallery as lead counsel negotiated a dismissal of federal RICO and state law fraud claims against his client in the United States District Court in Austin, Texas after filing Motions to Dismiss with the Court.
- 2009 – After a 3 day non-jury trial in Tarrant County, Texas, a trial team led by Tony Mallery obtained a Judgment for 195,000.00 for their client, an unpaid general contractor which had performed substantial tenant finish out work. The Court ordered foreclosure of the contractor's mechanic's lien.
- 2009 – Tony Mallery as lead counsel successfully obtained a court order removing a mechanic's lien wrongfully filed against a construction project in the District Court of Denton County, Texas.
- 2009 – After a one day non-jury trial in Dallas County, Texas, Tony Mallery as lead counsel obtained a Judgment for \$119,000.00 on behalf of his client, an unpaid flooring supplier, against the management company of an apartment complex, overcoming the argument that the management company was merely an agent for a disclosed principal. The Judgment was collected.
- 2008 – Tony Mallery as lead counsel obtained a final summary judgment in Travis County, Texas dismissing all claims against his client, a shopping center developer from Round Rock, Texas, in a suit brought by a materials supplier against the developer and the general contractor on the project.
- 2008 – A general contractor represented by Tony Mallery obtained a settlement of its breach of warranty claims against a nationally known paint manufacturer and its local distributor for an amount exceeding \$110,000.00 arising from improper catalyzation of a staining product used on wooden cabinets inside the residence.
- 2005 – Homeowners in Plano, Texas represented by Tony Mallery as lead counsel settled breach of warranty claims against a nationally known water heater manufacturer for \$1.15 million after the water heater ruptured and flooded the house.
- 2005 – Tony Mallery successfully brought a Texas Lemon Law Claim against BMW North America on behalf of his client resulting in a brand new vehicle to replace the defective vehicle.

Divorce/Family Law

- 2007 – After a non-jury trial in Dallas County, Texas, a parent represented by Tony Mallery obtained a judgment awarding his client the exclusive right to designate the primary residence of two children.
- 2002 – After a jury trial in Collin County, Texas, the jury awarded the parent represented by Tony Mallery the exclusive right to designate the children's primary residence within Collin County.
- 1999 – After a jury trial in Denton County, Texas, a client represented by Tony Mallery obtained a jury verdict awarding his client the exclusive right to designate the child's primary residence.
- 1987 – present: Tony Mallery has represented clients in dozens of family law cases, including divorce, paternity, modifications, enforcement, breach of alimony contracts, and interpretation and enforcement of pre-nuptial and post-nuptial agreements. By far the vast majority of these cases have settled out of court after a few preliminary hearings, depositions, or mediations. Mr. Mallery has demonstrated skill and expertise in guiding his clients through the difficult and many times traumatic emotional and financial experience of divorce.

Memberships

- Member, State Bar of Texas – Family Law and Construction Law sections
- Member, Dallas Bar Association – Family Law and Construction Law sections
- Member, Collin County Bar Association – Board of Directors, Family Law section
- Texas Family Law Foundation
- Lifetime Fellow, Collin County Bench-Bar Foundation

Education and Court Admissions

- Juris Doctor degree, Southern Methodist University School of Law, 1987
- Bachelor of Science degree, Business Administration, cum laude, Indiana University, 1984
- Admitted to Practice in Texas, 1987
- U.S. Court of Appeals for the Fifth Circuit, 1991
- U.S. District Court, Northern District of Texas, 1988
- U.S. District Court, Eastern District of Texas, 1994
- U.S. District Court, Western District of Texas, 2009

Speaking Engagements and Community Involvement

- Speaker, "Fundamentals of Mechanic's Lien Law for Non-Construction Lawyers", Continuing Legal Education Seminar, Dallas, TX, June 29, 2010
- Speaker, "Forcible Detainer Actions in Texas," Landlord and Tenant Law Seminar, Dallas, TX, Sept. 2007
- Volunteer In-take Attorney, Legal Aid of Northwest Texas
- Volunteer Judge for Plano Teen Court Program
- Moot Court Judge for Jackson Walker Moot Court Competition at SMU School of Law