

**Steven J. Moses**

Shareholder

214-672-2130

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**Practice Areas**

- Business Litigation
- Commercial Litigation
- Premises Liability
- Real Estate Litigation
- Construction Law
- Tort Litigation

**Practice Emphasis**

Steven Moses is a Shareholder in the Tort and Commercial Litigation Practice Groups of Cowles & Thompson. He represents clients on a wide range of legal matters including premises liability, business/commercial litigation, construction project litigation, and real estate matters.

**Special Honors**

- In May 2014, Mr. Moses was chosen as one of the “Best Lawyers in Dallas 2014” by *D Magazine* in the area of Tort, Product and Medical Liability Litigation Defense.
- Since 2010 Mr. Moses has been named a “Texas Rising Star” in the Business Litigation area of law in the Texas Super Lawyers edition of *Texas Monthly and Law & Politics* magazine.

**Published Articles**

- The January 2009 issue of “**Lodging Hospitality**” published an article co-written by Rick Barrett and Steven Moses entitled “**Arbitration: Panacea or Nightmare?**”

**Representative Matters**

- May 2015 – Obtained pretrial dismissal of premises liability case wherein plaintiff alleged over \$100,000 in damages.
- April 2014 - Obtained pretrial dismissal of premises liability case wherein plaintiff alleged over \$100,000 in damages.
- April 2014 - Obtained pretrial dismissal of premises liability case wherein plaintiff alleged over \$80,000 in damages.
- September 2013 - Obtained pretrial dismissal of premises liability case wherein plaintiff alleged over \$100,000 in damages.
- July 2013 - Obtained pretrial dismissal of premises liability case wherein plaintiff alleged over \$100,000 in damages.
- August 2012 - Obtained pretrial dismissal of premises liability case wherein plaintiff alleged over \$100,000 in damages.
- April 2012 – As lead counsel, successfully obtained eviction of residential tenant and judgment against tenant for outstanding rent.
- January 2012 – Obtained summary judgment dismissal of claims against reputable retailer stemming from an investigative detainment. Plaintiff alleged client racially-profiled him, detained him unlawfully, committed assault against him, and maliciously prosecuted him criminally.
- December 2010 – Obtained favorable settlement for client in matter involving a \$20 million commercial mortgage-backed securities (CMBS) loan dispute. The Firm’s client was an upscale, full-service luxury hotel branded with a world-wide leader in the hotel industry. The client

exercised its right under the loan agreement to “re-brand” the hotel; however, the master servicer and special servicer of the CMBS loan allegedly failed to grant borrower’s unfettered right to “re-brand” the hotel in a timely manner. Borrower asserted damage claims for diminution in value to the hotel. CMBS lender waived default interest, attorneys’ fees and other monetary claims. Borrower re-negotiated interest rate, maturity date and other issues favorable to borrower.

- November 2009 – Obtained favorable settlement for client accused of “price-gouging” in lawsuit filed by the Office of the Attorney General, Consumer Protection & Public Health Division, on behalf of the State of Texas. The State of Texas alleged the Firm’s hotel client engaged in price-gouging by demanding and charging Hurricane Ike evacuees excessive prices for lodging after Texas Governor Rick Perry declared a state of disaster from Hurricane Ike. The State of Texas further alleged the hotel charged and collected state and local hotel/motel taxes from Hurricane Ike evacuees in violation of the waiver issued by the Governor. The Firm’s hotel client entered into a Final Judgment and Permanent Injunction in lieu of large civil and criminal fines and other injunctive penalties.
- March 2009 - Successfully tried case to jury verdict and obtained a six-figure award along with an award of all claimed attorneys’ fees and costs on behalf of client. The litigation involved enforcement of two post-separation agreements (Separation, Release and Restructuring Agreement and Contribution and Indemnification Agreement) that related to the division of commercial shopping centers, the transfer of general partner interests, and liability of the managing general partner for committing “Bad Boy Guarantor” acts under the Indemnification Agreement. The Defendant was found liable for not indemnifying and reimbursing the Plaintiff for payment of ad valorem taxes to the lender.
- November 2009 - Successfully retried claim involving airport access fees charged by the firm’s municipality client. In first trial, the fees were ruled invalid; in retrial, client awarded all past fees and attorney fees.
- April 2008 - Obtained favorable pre-suit mediation result for commercial tenant client facing default under commercial lease agreement; client was released from all obligations, including nearly \$1 Million in accelerated rent, and landlord received no compensation.
- April 2008 - Represented franchisee against national franchisor in successful arbitration, obtaining a declaratory ruling of fraud against the franchisor and affirmative monetary relief.
- April 2007 - Prevailed at trial on behalf of firm’s trucking delivery company client in employee benefits case.

### **Memberships**

- Member, State Bar of Texas
- Member, American Bar Association
- Member, Dallas Bar Association
- Member, J.L. Turner Legal Association

### **Education and Court Admissions**

- J.D., University of Arkansas School of Law, 2006
- National semi-finalist, Thurgood Marshall Mock Trial Competition
- B.A. in Criminology and Criminal Justice, University of Texas at Arlington, 2000
- State Bar of Texas, 2006
- U.S. District Court, Northern District of Texas