

**Hilaree A. Casada**

Senior Attorney

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## Practice Areas

- Appellate
- Civil Appeals

**Practice Emphasis**

Hilaree Casada is a Senior Attorney in the Appellate Law section of Cowles & Thompson, with her practice principally focusing on the areas of civil appeals and litigation support.

Ms. Casada is Board Certified in Civil Appellate Law by the Texas Board of Legal Specialization. She is licensed to practice in all Texas state courts as well as the United States Supreme Court, the United States Courts of Appeals for the Fifth, Ninth, and Eleventh Circuits, and the United States District Courts for the Northern, Eastern, Southern and Western Districts of Texas. She has argued before the Texas Supreme Court, the United States Court of Appeals for the Fifth Circuit, and the First, Second, and Fifth District Courts of Appeals of Texas. She has also filed papers and briefs in many other state and federal trial and appellate courts, including the United States Supreme Court, and the Ninth and Eleventh Circuits. Ms. Casada also provides litigation support in complex civil cases, including the preparation and argument of summary judgments, jury charges, trial briefs, and post-judgment motions, and preservation of error at trial.

During law school, Ms. Casada was a Member of the SMU Law Review Association and was the Editor-in-Chief of the Journal of Air Law and Commerce. Ms. Casada was awarded the Order of the Coif and was also a member of Phi Delta Phi. Following graduation, Ms. Casada served as a briefing attorney for the Honorable Justice Sue Lagarde of the Fifth District Court of Appeals at Dallas for the 1999-2000 term.

**Experience**

- Provides litigation support in pretrial matters, including review of pleadings, drafting and arguing complex motions and responses, preservation of error during trial, and preparation of jury charges
- Handles post-trial and appellate matters, including drafting of proposed judgments, post-trial motions, requests for findings of fact and conclusions of law, supersedeas challenges, and appellate briefs and presenting argument to the trial and appellate courts.
- Obtained reversal of order granting judgment beyond policy limits to subrogees of party claiming additional insured status.
- Obtained Fifth Circuit reversal of order granting summary judgment for defendant in Title VII sexual harassment case
- Successfully defended denial of Defendants' special appearances in multi-million dollar dispute involving breach of contract and business tort claims
- Successfully defended order granting summary judgment in a wrongful death case. The court of appeals unanimously held that a social host owes no duty to protect a guest from another's criminal acts.
- Obtained reversal of state-court judgment ordering specific performance of a multi-million dollar real estate contract
- Successfully mediated cases to settlement following entry of judgment.
- Experience presenting oral argument in federal and state appellate courts, including the United States Court of Appeals for the Fifth Circuit, the Texas Supreme Court, and the First, Second, and Fifth District Courts of Appeals of Texas.
- Substantial experience arguing substantive motions and preparing jury charges in federal and state courts.
- Substantial experience conducting informal and formal charge conferences in state court.
- First chair appellate counsel and third chair trial counsel in two-week jury trial in Dallas County resulting in \$11 million verdict in breach of contract and business tort action
- Experience as first-chair and third-chair trial counsel in bench and jury trials before state and federal courts
- Appellate counsel on two petitions for writ of certiorari to the United States Supreme Court, one as lead counsel

**The following is a sample of opinions in which Ms. Casada wrote the brief and/or argued:**

- *Gurkoff v. Jersak*, 278 S.W.3d 776 (Tex. 2009) (Justices Brister and Hecht dissenting from denial of petition for review)
- *Maryland Casualty Co. v. American Home Assurance Company and Illinois National Insurance Company as Subrogees of National Equipment Services, Inc.*, 277 S.W.3d 107 (Tex. App.—Houston [1st Dist.] Jan. 29, 2009, pet filed)

- *Lawler v. DiGiuseppe*, 05-03-00468-CV, 2004 WL 1209569 (Tex. App.—Dallas 2004, aff'd in part, rev'd in part and remanded, *DiGiuseppe v. Lawler*, 269 S.W.3d 588 (Tex. 2008)
- *Palasota v. Haggard Clothing Co.*, 499 F.3d 474 (5th Cir. 2007)
- *Hard to Treat Diseases, Inc. v. Shinn, et al.*, No. 05-14737, 209 Fed. Appx. 968, 2006 WL 3613176 (11th Cir. Dec. 12, 2006)
- *American Institute of Intradermal Cosmetics, Inc. v. Maryland Casualty Company*, No. 06-10684, 207 Fed. Appx. 417, 2006 WL 3419773 (5th Cir. Nov. 28, 2006)
- *Farley v. Watkins*, 01-04-00800-CV, 2005 WL 1308943 (Tex. App.—Houston [1st Dist.] June 2, 2005, no pet.)
- *American States Insurance Company v. United States*, 324 B.R. 600 (N.D. Tex. 2005)
- *Godwin White & Gruber, P.C. v. Deuschle*, No. 03-10630, 87 Fed. Appx. 338, 2004 WL 96789 (5th Cir. Jan. 21, 2004)
- *Taylor-Rogers v. Robb & Stucky, Ltd.*, No. 03-40341, 2003 WL 22955876 (5th Cir. Dec. 12, 2003)

### Presentations and Publications

- In August 2010, Hilaree Casada and Byron Henry published an article in The Appellate Advocate entitled, Section 41.0105 - Dealing with the Emerging Majority Rule in the Real World.
- *Preparing the Jury Charge*, Presented to Hermes Sargent Bates, LLP attorneys and paralegals, January 2009
- *Trial and Appellate Support: Error Preservation and Perfecting Appeal*, Presented to the North Texas Paralegal Association, January 2009
- *Attorneys' Fees: Getting Them, Keeping Them, and Attacking Them*, Presented to the Plano Bar Association, June 2008, and to the Dallas Bar Association Appellate Section, May 2006
- *Interlocutory Appeals in Texas*, Presented to the Dallas Bar Association Appellate Section, January 2008
- *Appealing Default Judgments from the Justice Courts*, Presented to the North Dallas Bar Association, February 2004
- Co-Author, *Dealing With Default Judgments*, 35 ST. MARY'S L. J. 1 (Winter 2003)
- Co-Author, *Causation: How to Get There from Here*, Presented to the Appellate Section of the Dallas Bar Association, 2003

### Memberships

- Member, State Bar of Texas and State Bar of Texas Appellate Section
- Member, Dallas Bar Association and DBA Appellate Section
- Associate Member, Patrick E. Higginbotham American Inn of Court, 2001-2002

### Education

- J.D., Southern Methodist University School of Law, 2000
  - Magna Cum Laude
  - Order of the Coif
  - Phi Delta Phi
- Editor-In Chief, Journal of Air Law and Commerce, 1999-2000
  - Member, SMU Law Review, 1998-2000
- B.A., Broadcast Journalism, Southern Methodist University, 1993
  - Cum Laude
  - Honors in the Liberal Arts
  - Departmental Distinction in Communication Arts
  - SMU President's Scholar

### Court Admission

- Admitted to the State Bar of Texas, 2000
- U.S. Supreme Court
- U.S. Court of Appeals for the Fifth Circuit
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Court of Appeals for the Eleventh Circuit
- U.S. District Court for the Northern District of Texas
- U.S. District Court for the Eastern District of Texas
- U.S. District Court for the Southern District of Texas
- U.S. District Court for the Western District of Texas

### Honors and Awards

- Every year, from 2005 to 2011, Ms. Casada has been named a "Texas Rising Star" in the Appellate area of law in the Texas Super Lawyer edition of *Texas Monthly and Law & Politics* magazine.
- Designated as one of the Best Women Lawyers in Dallas by D Magazine, May 2010
- Dallas Association of Young Lawyers Rising Star, February 2004