COWLES & THOMPSON

Attorneys & Counselors

David J. Metzler
Managing Shareholder

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Practice Areas

- Business & Commercial Litigation
- Construction
- Insurance Coverage and Litigation
- Professional Liability
- Premises Liability
- Product Liability

Practice Emphasis

David J. Metzler is the Managing Shareholder of the firm and serves as Chair of the Insurance Coverage and Litigation Practice Group. Mr. Metzler's practice is devoted to tort and insurance coverage issues. He also advises clients on insurance law and entertainment issues. Mr. Metzler also has significant experience in litigating real estate disputes.

Special Honors

For the past two years, Mr. Metzler has been named a "Texas Super Lawyer" in the Insurance Coverage area of law by the publishers of *Texas Monthly* and *Law & Politics Magazine*. The annual ranking of "Texas Super Lawyers," which is designed to identify the top five percent of Texas attorneys in more than 60 practice areas, is based on surveys of more than 65,000 attorneys across the state.

Representative Matters

- *All Saints Catholic Church v. United Nat'l Ins. Co.,* 257 S.W.3d 800 (Tex.App. -- Dallas 2008, no writ) (successfully defended property insurer in coverage dispute involving more than one cause of property damage).
- *Lincoln General Ins. Co. v. Aisha's Learning Center*, 468 F. 3d 857 (5th cir. 2006) (successfully represented insurer in suit arising out of denial of coverage based upon "auto" exclusion in CGL policy)
- *American Home Assur. Co. v. United Space Alliance, LLC*, 378 F. 3d 482 (5th Cir. 2004) (represented primary and excess carrier at trial of claim for wrongful refusal to defend)
- *Southstar Corp. v. St. Paul Surplus Lines. Ins. Co.*, 42 S.W.3d 187 (Tex. App. -- Corpus Christi 2001, no pet.) (successful defense of insurer in "advertising injury" coverage and bad faith dispute)
- *St. Paul Fire & Marine Ins. Co. v. Convalescent Services, Inc.*, 193 F.3d 340 (5th Cir. 1999) (represented insurer in decision limiting insurer's Stowers duty)
- *Gracida v. Tagle*, 946 S.W.2d 504 (Tex. App. -- Corpus Christi 1997, orig. proceeding) (represented insurer, real party in interest)
- *St. Paul Fire & Marine Ins. Co. v. American Int'l Surplus Lines Ins. Co.*, 1997 LEXIS 4596 (N.D. Tex. 1997)
- *Williams v. Land Title Co. of Dallas*, 1997 LEXIS 2098 (Tex. App. -- Dallas 1997, no writ history) (represented Appellee)

Speaking Engagements

- "Litigation of UM/UIM Cases," Presented to GEICO Insurance, Dallas, Texas June 2006
- "Texas Law Update: What's Happening Now?" Presented to AIGDC, Inc. Excess Casualty Group, New York November 2005
- American Bar Assoc., Tort Trial and Insurance Practice Section, Toxic Torts and Environmental Law Committee, "Mold Litigation and Other Emerging Issues in Toxic Tort and Environmental Law," Phoenix, March 2003 (Panel Member: "Toxic Mold and Insurance Coverage Issues")
- Cowles & Thompson, "The Philistines Are Still at the Gate: Texas Bad Faith and Coverage 2003" Dallas, September 2003
- Cowles & Thompson, "Survival of the Fittest: Texas Bad Faith and Coverage 2002" Dallas, August 2002
- Cowles & Thompson, "Handling Mold Claims: Claims Tips and Coverage Issues" Dallas, April 2001
- Cowles & Thompson, "Supreme Court Review" Dallas, December 2000

Publications

- Co-Author, Toxic Mold Litigation, ABA Tort Trial and Insurance Practice Section, June 2003 (Author of “Mold and Insurance Coverage” chapters).
- Mold Claims: Claims Tips and Coverage Issues, *Journal of Insurance Coverage* (Winter 2002).
- Keeping the Faith: Avoiding Pitfalls of Insurance Claim Handling in Texas (A Bad Faith Manual), Cowles & Thompson, April 2001
- Personal Automobile Insurance Coverage Manual, Cowles & Thompson, September 2000
- Mastering Real Estate Titles and Title Insurance in Texas, National Business Institute (March 1995) (Co-Author)
- Collection Law in Texas ("Mortgages"), Lorman Education Services (April 1995) (Co-Author and Speaker)
- Judiciary Report, *TLTA News*, Vol. 23, No.2 (Spring 1994) (Contributing Author)
- Judiciary Report, *TLTA News*, Vol. 23, No.1 (Fall 1993) (Contributing Author)

Community

- Environmental and Health Commission, City of Dallas (2008-2010)
- School Advisory Board, St. Thomas Aquinas Catholic School, 2004-2007 Term
    - Chair, Policy Committee (2005-2007)
    - Chair, Development Committee (2006-2007)
- Youth Sports Coach
    - Lake Highlands Soccer Association (2000-2003, 2005-2006)
    - Dallas Parochial League, Boys Basketball (2005-2009)

Memberships

- Member, State Bar of Texas
- Member, Defense Research Institute
- Member, Dallas Bar Association

Education and Court Admissions

- J.D., Southern Methodist University School of Law, 1990
- B.A., University of Texas at Arlington, 1987
- Admitted to the State Bar of Texas, 1990
- United States Supreme Court
- U.S. Court of Appeals for the Fifth Circuit
- U.S. District Court, All Texas District Courts