

**Steven J. Moses**

Senior Associate

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Practice Areas

- Business Litigation
- Commercial Litigation
- Hospitality and Lodging
- Premises Liability
- Real Estate Litigation
- Real Estate/Real Estate Finance
- Tort & Insurance Litigation

Practice Emphasis

Steven Moses is a Senior Associate in the Tort and Insurance Litigation and Commercial Litigation Practice Groups of Cowles & Thompson. He represents clients on a wide range of legal matters including medical malpractice, premises liability, hospitality & lodging, and real estate matters.

Special Honors

- In 2010 and 2011, Mr. Moses was named a "Texas Rising Star" in the Business Litigation area of law in the Texas Super Lawyer edition of *Texas Monthly and Law & Politics* magazine.

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
- Admitted to the State Bar of Texas, 2006
- U.S. District Court, Northern District of Texas

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?**"

Recent Accomplishments

- In December 2010, Richard Barrett-Cuetara and Steven J. Moses settled 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 claim of 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.
- In November 2009, Rick Barrett and Steven Moses settled a complex "price-gouging" 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 TEXAS GOVERNOR RICK PERRY. The Firm's hotel client entered into a Final Judgment and Permanent Injunction.

- On March 27, 2009, Steven Moses, along with Richard Barrett Cuetara, Mark Hill, and Byron Henry tried a jury case and obtained a six figure jury verdict along with an award of attorneys' fees and costs on behalf of its 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.
- Obtained favorable pre-suit mediation result for tenant client facing default under commercial lease agreement; client was released from all obligations, and landlord received no compensation.
- 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.
- Represented franchisee against national franchisor in successful arbitration, obtaining a declaratory ruling of fraud against the franchisor and affirmative monetary relief.
- Prevailed at trial on behalf of firm's trucking delivery company client in employee benefits case.