



Stuart O'Neil
Shareholder

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Practice Areas

- Healthcare
- Premises Liability
- Product Liability
- Tort Litigation
- Construction
- Transportation & Trucking



Practice Emphasis

Stuart O'Neil has more than thirty years of legal experience and has successfully defended clients in a wide variety of litigation including: personal injury, healthcare, medical malpractice, trucking, product liability, construction law, premises liability, and general litigation. In addition to being a senior shareholder, he leads the Cowles and Thompson Healthcare section, and is also a member of the Tort Litigation section. He has successfully tried many high-value cases to jury verdict over the last five years.

Stuart represents hospitals, playground manufacturers, pharmacies, trucking companies, nursing homes, acute care facilities, hospice agencies, carriers, and other companies from Texas' southern border to the panhandle. He has also worked with healthcare companies in amending and updating their policies, procedures, and bylaws.

Stuart has also led a group of attorneys, who defend the largest international retailer, in matters related to pharmacy, security, slip and fall, fallen merchandise, and other areas. Additionally, he represents a large national healthcare company representing all their facilities on a broad range of matters including premises liability claims, auto liability claims, healthcare and medical malpractice claims throughout the State of Texas. Stuart has experience in both Texas state and federal courts, and in administrative disciplinary proceedings with the Texas Board of Nursing, Texas Medical Board, Texas State Board of Dental Examiners, and Texas Department of Aging and Disability Services. He has also served in an advisory capacity for clients seeking to develop national strategy for the defense of their tort and healthcare litigation.

Recent Representative Matters

- Favorable jury trial for retail client in Dallas County, Texas in fallen merchandise case where plaintiff required a multi-level back fusion.
- Represented manufacturing client in favorable result regarding alleged defectively designed and manufactured balcony railing system on 32-story high-rise hotel/condominium project.
- Favorable settlement for client facility in wrongful death healthcare liability claim involving hospice agency, nursing home, and physicians in Smith County, Texas.
- Successful jury trial for retail client in Tarrant County in case involving significant back injury of plaintiff following oil spill.

- Successful jury trial in Cooke County, Texas for retail client where plaintiff alleged complex regional pain syndrome and sought more than \$10 million.
- Obtained summary judgment dismissal of case for client hospital in slip and fall case.
- Obtained pretrial summary judgment dismissal for retail client in slip and fall claim.
- Obtained summary judgment dismissal on behalf of client dentist and dental practice alleging improper dental care with more than \$100,000 in dental expenses.
- Obtained summary judgment dismissal for client hospital where plaintiff physician tripped, fell and broke his hip.
- Favorable settlement in pool slide case involving severely brain damaged child.

Publications and Speaking Engagements

Stuart actively gives presentations at hospitals, insurance companies, third-party administrators, and healthcare groups on multiple issues including risk management and risk assessment. He has also given continuing legal education presentations to other lawyers and members of the insurance industry.

Recent Speaking Engagements

- Spoliation and document retention certified continuing education course for attorneys and claims adjusters in Frisco, Texas. March, 2019
- "Welcome to the Party" (spoliation and comparative responsibility issues), continuing education course to attorneys and insurance adjusters, Maryland Heights, Missouri. November, 2018
- "Stowers Demands" (duty to act in good faith), continuing education course to attorneys and insurance adjusters, St Louis, Missouri. November, 2018
- "Proportionate Responsibility Update," continuing education course to attorneys and insurance adjusters in Dallas, Texas. February, 2018
- "Texas Tort Update – 2017," continuing education course to attorneys and insurance adjusters in St. Louis, Missouri. June, 2017
- "Recovering and Challenging Medical Expenses," continuing education course to attorneys and insurance adjusters in Maryland Heights, Missouri. June, 2017
- "Proportionate Liability," continuing education course to attorneys and insurance adjusters in Las Colinas, Texas. June, 2016
- "Proportionate Liability," continuing education course to attorneys and insurance adjusters in Frisco, Texas. June, 2016
- "Premises Liability," continuing education course to attorneys and insurance adjusters in St. Louis, Missouri. February, 2016
- "Proportionate Liability," continuing education course to attorneys and insurance adjusters in St. Peters, Missouri. February, 2016

Education

- J.D., Oklahoma City University Law School, 1985
- B.B.A., Business Administration, St. Francis Xavier University, 1982

Admissions

- State Bar of Texas, 1986
- U.S. District Court, Northern District of Texas
- U.S. District Court, Southern District of Texas
- U.S. District Court, Eastern District of Texas
- U.S. District Court, Western District of Texas

Memberships

- State Bar Texas
- Texas Association of Defense Counsel
- Defense Research Institute
- Claims and Litigation Management Alliance
- Dallas Association of Defense Counsel
- Dallas Bar Association

Honors

- *Texas Super Lawyers*®, Personal Injury Law, by *Thomson Reuters Super Lawyers*®, selected for inclusion 2004-2020.
- *Best Lawyers in Dallas*, Tort, Personal Injury, Product & Medical Liability Litigation Defense, by *D Magazine*®, selected for inclusion 2016-2020.
- Rated “AV Preeminent” by Martindale-Hubbell (international attorney listing), as having the “Highest Possible Peer Review Rating in Legal Ability & Ethical Standards” for the last 15 years.