



**Helen H. Emerson**

Shareholder

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**Practice Areas**

- Appellate
- Commercial/Business Litigation
- Tort Litigation
- Aviation
- Premises Liability
- Product Liability

**Practice Emphasis**

Helen Emerson is a Shareholder in the Dallas office of Cowles Thompson, practicing primarily in the areas of civil litigation and civil appeals. Helen served as a briefing attorney for the Honorable Douglas S. Lang, Fifth District Court of Appeals of Texas, 2014-15 and as a judicial intern for the Honorable John R. Roach, Jr., 296th Judicial District Court, 2012.

**Representative Matters**

- Obtained take-nothing Summary Judgment on all claims of negligence in wrongful death lawsuit asserted against our retail client in Eastland County, Texas. Plaintiffs, representatives of the estate of the decedent, filed a lawsuit against our client, the premises owner, alleging that the senseless murder of the decedent by a third-party assailant on its property was foreseeable to the premises owner. Obtained complete dismissal on all claims by successfully arguing that the random act of violence perpetrated by the assailant was unforeseeable to the premises owner as a matter of law, and there was no duty on the premises owner to protect invitees on the premises of criminal acts by third-parties under the facts of this case. Co-counsel with David Johnson. 2023
- Obtained take-nothing Summary Judgment on all claims of negligence asserted against a client in Collin County, Texas. Plaintiff, a professional power lifter and bodybuilder, alleged numerous personal injuries resulting from purported defects in a weight bench that Plaintiff was using while working out at a local gym. Obtained complete dismissal on all claims by arguing, on behalf of the client gym owner, that the weight bench did not constitute an “unreasonably dangerous condition,” and even if there was a defect with the bench (which there was not), there was no notice to the premises owner of any alleged dangerous condition that caused injury to Plaintiff. Co-counsel with David Johnson. 2021
- Obtained a take-nothing Summary Judgment on all claims of products liability and negligence asserted against a client in Bee County, Texas. Plaintiff, a paraplegic inmate in the custody of the Texas Department of Criminal Justice, alleged that a heating unit on a prison bus malfunctioned and caused second- and third-degree burns to his legs during transport. Plaintiff sought in excess of \$1 million for his alleged injuries. Obtained complete dismissal on all claims through argument that there was no manufacturing, design, or marketing defect present when the product was manufactured and placed into the stream of commerce by our client. Further successfully established there was a “substantial alteration” in the product during subsequent maintenance of the product (which was outside the control of the client) that proximately caused the alleged injuries. Co-counsel with David Johnson. 2021
- Successful jury trial in which the plaintiff sought damages at \$7 million from our client franchisee and franchisee’s employee for injuries arising from a motor vehicle accident. We obtained summary judgment on claims against

the corporate franchisor and gross negligence claims against the franchisee and its employee. By stipulating liability and arguing responsibility for damages was limited to a specific time frame, the resulting award was less than \$200,000. 2018

- Successful jury trial in which plaintiff sought damages in excess of \$5 million for alleged injuries arising out of a trucking accident with our client, an oil field services company. By stipulating to liability and contesting the plaintiff's alleged brain injury, we limited damages to those relevant to the plaintiff's uncontested spinal injury, which were a fraction of those sought by the plaintiff from the West Texas jury. 2018
- Successful bench trial win and take-nothing judgment for our client, a private contractor, in a case where the plaintiff alleged that our client damaged plaintiff's property while performing repairs to streets and sidewalks. 2017
- Successful jury trial win and take-nothing judgment for our client, a retailer, in a case where the plaintiff alleged assault by an employee and sought in excess of \$5 million in damages. 2016

### **Education**

- J.D., *cum laude*, SMU Dedman School of Law, 2014
- B.S., *magna cum laude*, Business Administration, Saint Louis University, 2011

### **Court Admissions**

- State Bar of Texas, 2014
- U.S. District Court, Northern District of Texas
- U.S. District Court, Southern District of Texas
- U.S. District Court, Eastern District of Texas

### **Memberships**

- State Bar of Texas, Appellate Section and Litigation Section
- Dallas Bar Association
- Dallas Association of Young Lawyers, Director
- American Bar Association
- William "Mac" Taylor American Inn of Court, Barrister
- International Aviation Womens Association, Apprentice

### **Honors**

- Best Lawyers in America© -- "Ones To Watch" Personal Injury Litigation - Defendants; Best Lawyers®; selected for inclusion 2024
- Rising Star, selected for inclusion to the Texas *Rising Stars* list by Thomson Reuters® *Super Lawyers*®, 2020-2024