

Owen J. McGovern

Partner Houston

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Owen McGovern is board-certified appellate specialist who understands that exceptional advocacy requires both a superior understanding of the law and the ability to frame the dispositive legal issues within a compelling narrative.

From the moment a case is filed through appeal, Owen is focused on distilling intricate facts and legal concepts into a coherent, compelling story. An appellate specialist with a sharp business mindset, Owen's breadth of experience makes him an excellent addition to sophisticated matters requiring the high degree of precision appellate courts demand. Owen helps clients sort through complex legal issues to develop sound, persuasive arguments and strategies that help maximize the prospects of success both at trial and on appeal.

A dedicated student of legal argument and persuasion, Owen regularly handles appeals in the Supreme Court of the United States, the United States Court of Appeals for the Fifth Circuit, the Supreme Court of Texas, and courts of appeals across the state and federal system. Representing both plaintiffs and defendants, Owen brings his appellate expertise to bear in complex class action, mass tort and personal injury matters, as well as impact litigation involving constitutional claims.

As a federal law clerk at both the trial and appellate level, Owen handled cases at all stages of litigation and came to understand that clarity and credibility are the keys to persuasive advocacy. Owen brings this experience and an intense attention to detail to every stage of litigation, handling critical motions and jury charges across all areas of civil law.

Owen was recognized in the edition of *Best Lawyers: Ones to Watch* (2021-2025) and named a Texas Super Lawyer by Thomson Reuters (2024) for his work as an Appellate practitioner.

REPRESENTATIVE EXPERIENCE

- *The Hain Celestial Group, Inc. v. Palmquist*. Co-appellate counsel for Plaintiff/Respondent on the merits in the Supreme Court of the United States.
- *Olive v. University of Houston*: Counsel of Record for Petitioner in the Supreme Court of the United States and lead appellate counsel for Petitioner before the Supreme Court of Texas.
- *Rivers v. Guerrero*. Counsel of Record for Amicus Curiae U.S. Senator John Cornyn in Support of Respondent in the Supreme Court of the United States.
- *Allen v. Cooper*: Counsel of Record for Amici Curiae Law Professors in Support of Petitioners in the Supreme Court of the United States.
- *Cline v. Sunoco*: Co-appellate counsel in the Supreme Court of the United States and Tenth Circuit.
- *Bradford v. Sovereign Pest Control of Texas, Inc.* Lead appellate counsel for Defendant/Appellee in the United States Court of Appeals for the Fifth Circuit.
- *James George v. SI Group, Inc.* Lead appellate counsel for the Plaintiff/Appellant in the United States Court of Appeals for the Fifth Circuit. Obtained reversal of summary judgment and remand for further proceedings.
- *MIECO v. Targa Gas Marketing LLC*. Lead appellate counsel for Appellee/Cross-

PRACTICES

Appellate
Class Action & Multi-District Litigation
Commercial Litigation
Energy Litigation
Trusts & Estates Litigation
Intellectual Property Litigation
Products Liability Litigation

ADMISSIONS

State Bar of Texas
State Bar of Illinois
Supreme Court of the United States
United States Court of Appeals for the Fifth, Sixth, and Tenth Circuits
United States District Courts for the Eastern, Northern, Southern and Western Districts of Texas

CLERKSHIPS

Honorable Edith Brown Clement, United States Court of Appeals for the Fifth Circuit
Honorable Gerald E. Rosen, Chief Judge, United States District Court for the Eastern District of Michigan

EDUCATION

J.D., Northwestern University School of Law, *cum laude*, 2012

Appellant on scope of Force Majeure clause following Winter Storm Uri. Provided critical motion and charge support at trial.

- *Gao v. Blue Ridge Landfill*: Appellate counsel and primary drafting attorney for Appellee. Summary judgment in client's favor affirmed by the United States Court of Appeals for the Fifth Circuit.
- *Valles v. Bayou Place*: Lead appellate counsel for Plaintiff. Successfully defended remand order in the United States Court of Appeals for the Fifth Circuit. Successfully defeated multiple mandamus petitions to Fourteenth Court of Appeals and petitions for review to the Supreme Court of Texas. Provided appellate and critical motions assistance in the trial court, defeating four motions for summary judgment and numerous challenges to expert testimony.
- *Accordant v. Sayers*: Lead appellate counsel for plaintiff in the United States Court of Appeals for the Fifth Circuit. Successfully obtained remand in dispute regarding federal jurisdiction over a AAA arbitration judgment.
- *Moore Family Trust v. Bingham*: Lead appellate counsel in the United States Court of Appeals for the Sixth Circuit.
- *Waypoint Lodging LLC v. Catlin Insurance*: Lead appellate counsel on insurance appeal before the United States Court of Appeals for the Fifth Circuit.
- *Dalton Logistics v. Universal*: Appellate counsel for plaintiff. Successfully affirmed multi-million dollar promissory estoppel verdict in the United States Court of Appeals for the Fifth Circuit.
- *In re Marriage of Cooke*. Lead appellate counsel in the Supreme Court of Texas, First Court of Appeals, and trial court. Successfully overturned order granting new trial, resulting in the reinstatement of original final judgment.
- *Austin Materials v. Troche*: Lead appellate counsel for Plaintiff/Appellee in the Third Court of Appeals. Successfully defended denial of summary judgment in the Third Court of Appeals and defeated petition for review in the Supreme Court of Texas.
- *Confidential Case*. Appellate counsel for Defendant/Appellant in the Ninth Court of Appeals. Successfully challenged temporary injunction enjoining construction of a pipeline. Provided appellate support during temporary injunction hearing.
- *Graybar Electric Company, Inc. v. Buying Power, Inc.* Lead appellate counsel for plaintiff, responsible for briefing and appellate strategy on appeal to the Fourteenth Court of Appeals, as well as jury charge and critical motion support at trial.
- *McPherson v. Ranger Steel*. Lead appellate counsel for Defendant/Appellant in the Fourteenth Court of Appeals. Responsible for appellate strategy and briefing, as well as providing critical motion and jury charge support at trial.
- *QTAT v. LRS*: Lead appellate counsel for defendant. Successfully defended two appeals to the Fourteenth Court of Appeals and defeated two petitions for review. Responsible for critical motions and jury charge at trial.
- *Hernandez v. Lounnarth*. Lead appellate counsel responsible for appellate strategy and briefing for Plaintiff/Appellant in the Fifth Court of Appeals.
- *McPike v. Montgomery Transport LLC*. Lead appellate counsel for Plaintiffs. Defeated mandamus petition to the Twelfth Court of Appeals and provided critical motions support to trial team, including defeating motion for summary judgment, challenges to expert testimony, and drafting jury charge.
- *Ariza-Rozo v. Napoles*. Lead appellate counsel for Plaintiffs. Defeated mandamus petition and provided critical motions support to trial team.
- *In re Estate of Janey Briscoe Marmion*. Lead appellate counsel for defendants, providing critical motions and jury charge support during trial of significant

- Senior Research Honors, *The Effect of the Seventeenth Amendment on Factional Balance in the United States*
- Executive Board: Coordinating Comment Editor & Articles Review Board, The Journal of Criminal Law and Criminology
- Constitutional Law Teaching Assistant for Prof. Eugene Kontorovich

Bachelor of Business Administration (B.B.A.), University of Notre Dame, Finance, *cum laude*

estate dispute.

- *Cole v. C&J Well Services*. Lead appellate counsel for Plaintiff. Defeated mandamus petition to the Fourteenth Court of Appeals and petition for review to the Supreme Court of Texas. Provided critical motions support for trial counsel, including successfully defeating motion for summary judgment, expert challenges, and drafting jury charge.
- *ITC Fire Litigation*. Provided appellate support for Plaintiff's Steering Committee in large refinery explosion case.
- *Berger v. 987 Investments LLC, et al.* Provided appellate and critical motions support to plaintiff's counsel, defeating numerous motions for summary judgment and challenges to expert testimony.

HONORS & AWARDS

- Named in Thomson Reuters' *Texas Super Lawyers* – Appellate, 2024-2025
- Named in Lawdragon 500 X – The Next Generation in Appellate and Commercial Litigation, 2024-2025
- Named in *The Best Lawyers in America: Ones to Watch* in Appellate Practice, 2021 – 2025
- Recognized as a "Rising Star" in Appellate by Thomson Reuters' *Super Lawyers* – Texas, 2022

PUBLICATIONS & PRESENTATIONS

- Panelist, *When States Infringe: The Curious Case of Copyright vs Sovereign Immunity*, Los Angeles Copyright Society, May 25, 2022
- Panelist, *Texas Greats on Business Litigation*, 40th Annual Page Keeton Civil Litigation Conference (UT Law CLE), October 2016
- [Illinois Assault Weapons Ban Upheld; En Banc or Supreme Court Review Ahead?](#) *Bloomberg BNA The United States Law Week*, May 5, 2015

PROFESSIONAL ACTIVITIES & MEMBERSHIPS

- Houston Bar Association, Appellate Section
- Federalist Society, Houston Lawyer's Chapter
- Notre Dame Club of Houston, Lawyers' Division

COMMUNITY INVOLVEMENT

- Houston Achievement Place, Board of Directors
 - Annual Holiday Gala Event Co-Chair (2020)

