

Troy Ford

Partner Houston

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For over twenty years, clients have relied on Troy to help them navigate complex business disputes. Having handled cases involving claims of over a billion dollars, Troy brings an organized and focused approach to handling and resolving complex disputes.

He has represented major law firms in legal malpractice suits, major oil and gas companies, midstream companies, and Fortune 500 companies in cases involving claims of breach of contract, fraud, breach of fiduciary duty, product liability and class actions. Troy also focuses his practice on trust and probate litigation having handled some of the biggest trust and probate cases in the state of Texas.

Troy appreciates the pressures that clients face and works with them to develop a strategy to achieve their goals in litigation. Other times, clients seek Troy's advice in navigating a business solution to avoid litigation altogether.

When Troy enters the courtroom, he brings an ability to communicate the theory of the case in a way that helps a jury reach the right conclusion. He understands that winning at trial, starts with effective preparation of the case from day one. Following a lengthy trial, one juror commented, "if I am ever faced with a lawsuit, I want Troy on my side."

REPRESENTATIVE EXPERIENCE

• Commercial Cases

- **Won a jury verdict for over a million dollars on behalf of Hewlett-Packard in a breach of contract case.** A contractor damaged a large transformer while installing electrical switchgear. The jury found in favor of Hewlett-Packard and awarded over a million dollars. After entry of judgment, the contractor appealed. The case was resolved on appeal on favorable terms. *Powell Electrical Systems v. Hewlett Packard Company*, No. 01-09-00876-CV
- **Obtained full dismissal of lawsuit seeking to void a \$150 million settlement of silica related claims.** Plaintiffs sought to overturn an agreed judgment entered as part of the settlement of hundreds of silica related claims. Troy successfully argued to the trial court that the settlement should be upheld. Plaintiffs appealed the case to the First Court of Appeals. Plaintiffs argued that the agreed judgment should be set aside as "void as against public policy" because their trial lawyers did not tell them that the settlement was allegedly an aggregate settlement. Troy successfully briefed and argued for the finality of the settlement and the court agreed by dismissing the case. *Authorlee, et al v. Tuboscope Vetco, et al*, No. 01-06-00719-CV.
- **Obtained summary judgment on behalf of an oil field services company sued for several million dollars over a supply agreement.** Plaintiff sued an oil field services company alleging that company should purchase rental uniforms at the conclusion of the rental contract. Troy successfully argued to the trial court that the contract did not require the purchase of the uniforms at the conclusion of the contract.
- **Successfully represented a Houston developer for claims of fraud against a bank.** A local developer engaged in a multimillion dollar re-development of a

PRACTICES

Catastrophic Personal Injury & Wrongful Death Litigation

Commercial Litigation

Energy Litigation

Trusts & Estates Litigation

Insurance Coverage Litigation

Professional Liability Defense

Products Liability Litigation

ADMISSIONS

State Bar of Texas

United States Court of Appeals for the Fifth Circuit

United States District Courts for the Eastern, Northern, Southern and Western Districts of Texas

EDUCATION

J.D., The University of Houston Law Center, magna cum laude

- Top Ten Graduate
- Order of the Coif
- Order of the Barons
- Order of the Barristers
- *Houston Law Review*

B.B.A., Texas A&M University, Management

Houston skyscraper. As the project neared completion, cost overruns required an additional loan. Despite assurances that the bank would provide such a loan, the bank never followed through. After litigating the case for several years, and several appeals, the case was resolved on favorable terms.

Professional Liability

- **Won a jury verdict as lead trial counsel on behalf of the estate of a wealthy San Antonio business man and his widow.** An attorney created a complex scheme to defraud an elderly couple of millions of dollars. The scheme involved the creation of a “family business” to which the attorney appointed himself a board member and obtained access to the couple’s bank accounts. Then he created numerous shell companies through which he transferred the couple’s money. The Court entered a final judgment for \$9,499,742. The judgment is final.
- **Obtained a favorable resolution for a law firm sued for millions of dollars for allegedly breaching their fiduciary duty.** A client sued a Houston law firm alleging that the firm breached a fiduciary duty by conveying information to the client’s insurance carrier while the client was involved in a coverage dispute with the carrier.
- **Represented an Am Law 100 law firm sued for over a billion dollars by a non-client.** After briefing the lack of duty owed by a law firm to a non-client, the case was resolved on favorable terms.

Products Liability

- **Obtained a complete defense verdict on behalf of LG Electronics in a case involving a house fire.** Plaintiffs alleged that a window air conditioner they purchased caused a fire that destroyed their home within hours of its first operation. Plaintiffs filed the case in a small town in central Texas where the Plaintiff was a well-known horse trainer. Troy formulated a trial strategy that demonstrated that the wiring in the home caused the fire. After a four-day trial, the jury returned a complete defense verdict for Troy’s client.
- **Obtained summary judgments in a series of cases on behalf of 3M involving alleged product defects in a prescription medicine.** In a series of cases filed in Texas, Maryland and Arkansas, Troy obtained multiple summary judgments on behalf of 3M. Plaintiffs alleged that a prescription medicine used to treat a certain type of skin cancer was defective. Troy successfully argued that the product did not contain a defect. The courts all separately agreed and dismissed the cases.
- **Obtained summary judgment on behalf of the manufacturer of a heart valve.** Plaintiffs asserted a product defect existed in a heart valve manufactured by Troy’s client. Troy successfully briefed and argued that Plaintiff’s claims were barred by preemption. The court agreed and dismissed the case.
- **Obtained a complete defense verdict on behalf of LG Electronics in a house fire case.** Plaintiffs alleged that the power supply of a recently purchased television caused a house fire that resulted in over a million dollars in damage. Troy presented an alternative basis for the fire as having begun in a nearby toaster. The jury returned a complete defense verdict.
- **Won full dismissal of all claims for an electronic monitoring company sued for allegedly failing to monitor a convicted sexual offender.** The state placed the offender under supervised release subject to electronic monitoring. The offender disabled his ankle monitor and violently attacked a woman inflicting life threatening injuries on the Plaintiff. Troy successfully argued before the trial court that statutory immunity applied to the claims.
- **Represented Cameron International in a case in which Plaintiffs alleged a check valve caused an explosion at a gas compressor station.** Plaintiffs alleged that a check valve on a gas compressor failed and resulted in an explosion that caused over \$16 million in damages. Troy identified former employees whose testimony

reflected that the operator knew the compressor had begun to fail and insisted the workers continue operations. Troy then deposed other employees who testified that the Plaintiff had failed to connect fire suppression systems and had falsified reports regarding testing of the system. After these depositions, the case settled on favorable terms.

Personal Injury

- **Successfully defended a trucking company in a dispute involving a rear-end collision.** Plaintiffs alleged that a dump truck collided with their small passenger vehicle causing one of the Plaintiffs to require surgery. The impact appeared to be minor. Troy argued that the not only was the impact slight, but that the Plaintiffs swerved in front of the dump truck and were partially to blame for the accident. The jury agreed and found the Plaintiffs 40% responsible for the accident. The jury also reduced the damages requested by the Plaintiff to the amount suggested by Troy during closing arguments.
- **Obtained summary judgment on behalf of Entergy Gulf States, Inc. in a claim involving injuries to a lineman.** The Plaintiff worked for a contractor as a lineman performing repairs to overhead electrical distribution lines. During his work, a bucket truck in which the Plaintiff was standing became energized. The Plaintiff jumped from the truck crushing his ankle. Troy successfully argued that the claims were barred by Chapter 95. The trial court granted summary judgment. Plaintiff appealed, and Troy successfully briefed and argued to the appellate court which upheld the summary judgment. *Brocken v. Entergy Gulf States*, No. 09-04-499 CV.
- **Defended oil field services company in suit involving a driver who ran a red light and collided into a vehicle.** The driver of the other vehicle suffered fatal injuries. The driver of the oil field services company was on his cell phone at the time of the collision. When plaintiff's refused to settle, the case was tried to a jury verdict resulting a favorable judgment for the company. The case was appealed and then settled on appeal on favorable terms.
- **Represented a nationally recognized manufacturer of all-terrain vehicles in numerous suits throughout the United States against personal injury claims.**

Estate and Probate

- **Successfully resolved a will contest involving the estate of Leo Block.** Troy represented the widow of Leo Block in a will contest with the family of Mr. Block. The family asserted claims of undue influence on the part of Mr. Block's widow. After numerous depositions and extensive briefing, the will contest was resolved on favorable terms.
- **Represented the widow of Belton Kleberg Johnson in a dispute over Mr. Johnson's will and trusts.** Belton Kleberg Johnson was the great-grandson of the founder of the King Ranch. When Johnson died, his children from a prior marriage challenged his estate plan. After a lengthy trial and appeal the children filed a second lawsuit over the interpretation of several trusts. Troy became involved to try the case. While awaiting the jury panel, the parties were able to resolve the dispute on favorable terms.
- **Represented Tom Benson in a dispute over a family trust.** Tom Benson was the owner of the New Orleans Saints and Pelicans and several car dealerships in Louisiana and Texas. Mr. Benson's daughter sought to have Mr. Benson removed as trustee of a trust created when his first wife passed away. The case was successfully resolved on favorable terms.

Class Action

- **Obtained the dismissal of class action claims against a bank accused of charging mortgagees unauthorized fees.** After briefing the relevant case law, the Plaintiffs dismissed their lawsuit.

- Obtained dismissal through summary judgment of a class action filed against a landfill by homeowners who purchased homes near the landfill. Plaintiffs appealed, and the case was affirmed d by the Fifth Circuit Court of Appeals.
- Obtained summary judgment on behalf of a service provider sued in a class action in federal court based upon contractual claims the plaintiffs were over charged.

HONORS & AWARDS

- Named a “Rising Star” in general litigation, Thomson Reuters *Super Lawyers Texas*, 2011

PUBLICATIONS & PRESENTATIONS

- “Lessons Learned from a Zoom Arbitration,” Beck Redden Cues from the Courtroom CLE Series, October 2020
- Third Party Designation of Responsibility: Texas Bar CLE on Advanced Evidence and Discovery
- Persuasion: How to Develop Themes So That A Jury Will Connect With Them: University of Houston Law Foundation CLE on The Jury Trial

PROFESSIONAL ACTIVITIES & MEMBERSHIPS

- Texas Bar Foundation, Fellow
- International Association of Defense Counsel
- Association of Defense Trial Attorneys
- Defense Research Institute
- Houston Bar Association
- American Bar Association
- Texas Association of Defense Counsel

COMMUNITY INVOLVEMENT

- Former President, Gulf Coast Baseball Association
- Former Treasurer, Friends of Kingwood Baseball
- Youth baseball, softball and basketball coach