

Bruce M. Flowers

DIRECTOR

Bruce Flowers, a Director of the Firm, practices in the Litigation, Environmental, Energy, Construction and Insurance Sections, and has significant experience drafting contracts and litigating contractual disputes. For more than 20 years, Bruce has aggressively represented clients in prosecuting and defending against claims in both state and federal courts and arbitration, and in a diverse number of matters. He has also served as the mediator in more than 50 cases.

Bruce has experience with commercial and environmental due diligence and litigation, including all types of soil and groundwater contamination and toxic torts, CWA, CERCLA, RCRA, OPA, CWA, Texas Solid Waste Disposal Act; geotechnical/foundation failures; oil and gas environmental issues; contracting; professional liability; and general commercial and tort litigation, including product and premises liability, employment disputes, construction related litigation, infectious disease, consumer claims, catastrophic injury and wrongful death.

Practice Focus

Complex Commercial Litigation, Construction, Energy, Oil and Gas, Environmental, Financial Services, Insurance, Litigation

Associations

- Texas Association of Mediators
- College of the State Bar of Texas
- Dallas Bar Association, Fellow
- Dallas Bar Association, Environmental Law Section, Commercial Litigation Section
- Fellow, Litigation Counsel of America
- Federal Bar Association
- Million Dollar Advocates Forum
- State Bar Association
- Texas Center for Legal Ethics and Professionalism

Admissions

- State Bar of Texas, 1991

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

- United States District Court for Colorado



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LAW SCHOOL

Texas Tech University School of Law
, J.D., 1991

UNDERGRADUATE

Texas A&M University, B.B.A., 1981

Experience

Recent Representations:

- Representation of lenders and prospective commercial real estate purchasers in conducting environmental due diligence
- Representation of commercial parties in negotiating environmental and indemnity provisions in contracts
- Representation of a commercial landowner against a multinational electronics firm for historic chlorinated solvent contamination.
- Representation of an industrial property owner against an adjacent landowner for chlorinated solvent and petroleum hydrocarbon contamination.
- Representation of a shopping center owner in claims for chlorinated solvent contamination.
- Representation of an oil company and service station owner against claims of hydrocarbon contamination from leaking underground storage tanks.
- Representation of an oil and gas company seeking general environmental liability advice.
- Representation of an oil and gas explorative and production company managing wetlands issues and in a dispute arising from the sale of producing assets.
- Representation of a national environmental consulting firm against allegation that it had negligently performed a pre-purchase environmental site assessment.
- Representation of a rural landowner for damage to the landowner's property by saltwater from adjacent oil and gas production activities.
- Representation of a consultant in a case involving "black mold."
- Representation of a multinational remediation firm against contractual and other claims.
- Representation of an environmental consultant against allegations that foundation problems were a result of negligent geotechnical work.
- Representation of a remedial contractor in a CERCLA action.
- Representation of a developer against landowners who claimed property damage by alteration in surface water run off.
- Representation of a municipality in a significant federal citizen suit action.
- Representation of a municipality against civil rights and other claims by an industrial polluter.
- Representation of a dry cleaner against claims of chlorinated solvent contamination.

Publications

- Co-author of "Discovery Pierces Privileges in Coverage and Bad Faith Actions." 59 Def.L.J. 371 (1992), reprinted in 6 Nat'l Ins. L. Rev. 647 (1993)
- "Spoliation of Evidence: Let's Have a Rule in Response," 60 Def.L.J. 553 (1993), cited in *Trevino v. Ortega*, 969 S.W.2d 950, 955 (Tex. 1997)