

## Daniel Guerra

**DIRECTOR**

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For two and a half decades, Danny Guerra has litigated cases in many venues, including state and federal courts. Representing clients in the energy and transportation fields, Danny defends and advocates for organizations and individuals in cases stemming from industrial, trucking, and rail incidents and accidents that result in injuries or damages. His practice centers on Houston and encompasses south and central Texas, including San Antonio and Austin.

As a former reporting analyst for a financial services company, Danny is extremely comfortable with balance sheets, income statements, and spreadsheets and gets called upon to cross-examine economists in cases handled by other attorneys. Danny served as the general manager of a semiconductor company, where he assisted the company transition to a large professionally managed company. This background in business gives him keen insight into the concerns and operations of his clients.

Previously, Danny worked as an Assistant Attorney General in the Transportation Division of the Texas Attorney General's Office, where he led the Texas Department of Transportation in a variety of legal matters including condemnation proceedings and employment discrimination claims. His move into private practice provided him with broad industry understanding and extensive trial work. Danny currently co-chairs the firm's Energy, Oil & Gas and Transportation Practice Group.

With a practice that involves many technical details, Danny keeps himself up to speed on the latest relevant technologies and innovations, including data collection methods in the wake of an accident, driver monitoring and long-distance transmission of computerized information through telematics, and regulations impacting the development of autonomous vehicles. He has continued to sharpen his professional skills by attending industry training, including a 40-hour course on the fundamentals of emergency response to rail hazardous material incidents. Danny puts his education and experience to use and provides immediate, boots-on-the-ground advice to clients following an incident.

### **Away from the Office**

When he's not serving clients, Danny enjoys camping, paddle boarding, fly fishing, following Texas A&M football, and hanging out with his kids. A seventh-generation Texan, Danny likes to spend time on the south Texas ranch that has belonged to his family for almost two centuries.

### **Practice Focus**

Complex Commercial Litigation, Energy, Oil and Gas, Insurance, Intellectual Property, Litigation, Railroad, OSHA Defense, Personal Injury, Retail, Restaurant & Hospitality, Transportation



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### **LAW SCHOOL**

The University of Texas School of Law  
J.D., 1995

### **UNDERGRADUATE**

Texas A&M University  
B.E.D., 1991

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## Honors

Top Lawyers, *Houstonia* Magazine (2019)

## Admissions

- State Bar of Texas, 1995

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

- United States Court of Appeals for the Fifth Circuit

## Associations

- Austin Bar Association
- Travis County Bar Association
- Houston Bar Association
- Hispanic Bar Association of Houston
- Fellow, Texas Bar Foundation
- National Association of Railroad Trial Counsel
- SERTC Tank Car Specialist
  - *TTCI Tank Car Safety Course*, Pueblo, Colorado, August 2011

## Experience

- *Sullivan v. Chase Bank of Texas, N.A.*, filed in the 270th Judicial District of Harris County, Texas. Defense verdict in a case where plaintiff alleged wrongful loan servicing, negligent misrepresentation and fraud.
- *BCE Emergis Corp. v. Community Health Solutions, Inc.*, filed in the United States Federal Court for the Western District of Texas – Austin Division. Obtained defense verdict in trade secret and breach of confidentiality agreement case.
- *Gustafson v. Texas Department of Transportation*, filed in the United States Federal Court for the Western District of Texas – Austin Division. Obtained directed verdict in case where plaintiff alleged gender and age discrimination.
- *Gonzales v. Green Metal, Inc. et al.*, filed in the 131st District Court of Bexar County, Texas. Obtained summary judgment in a wrongful death case of worker in an industry railyard.
- *Martinez v. Union Pacific Railroad Company*, filed in the United States Federal Court for the Western District of Texas-San Antonio Division. Obtained summary judgment in a case where the plaintiff asserted antitrust violations for allegations related to access to an intermodal facility.
- *Carr v. Union Pacific Railroad Company*, filed in the 258th Judicial District of San Jacinto County, Texas. Obtained summary judgment in a case where plaintiff alleged exposure to hazardous materials following a derailment.
- *Arbor Windsor Court, Ltd. v. Weekley Homes, L.P.*, Cause No. 2009-55538, In the 165th Judicial District Court of Harris County, Texas. Jury verdict and judgment in favor of the defense against a developer claiming more than \$1.2 million in damages and more than \$300,000 in attorneys' fees, April 2013.
- *Richard Speirs v. Union Pacific Railroad Company*, Cause No. 2009-CI-17924, In the 150th Judicial District Court, Bexar County, Texas. Jury verdict and judgment in favor of the defense on a carman case, where plaintiff asserted total disability and sought in excess of \$1 million, February 2013.

## Publications

- Contributing author to Cybersaurus Lex, a Cyber Security Law blog - part of the KRCL blog network
- Author, To Compete or Not to Compete, Association of Corporate Counsel, Austin Chapter Newsletter.

## Presentations

- Speaker, Texas State Bar CLE, 32nd Annual Course, Advanced Evidence and Discovery, April 11-12, 2019, *Evidence in the Courtroom*, Engelhart, Hon. Mike M., Rothman, Marcy, Guerra, Danny
- Speaker, *Railroad Right of Ways, Trespassers and Current Attitudes*, National Association of Railroad Trial Counsel Fall Meeting, La Jolla, California (2017)
- Speaker, *Impact of Technological Developments on Oil Hauling and Trucking*, South Texas Chapter of the Association of Corporate Counsel, San Antonio, Texas (2017)
- Speaker, *Fiduciaries In Litigation*, Co-author, Texas Association of Defense Counsel, 2010 Spring Meeting.
- Speaker, *Right of Way Acquisition of Hazardous Material Sites: Legal Issues*, TxDOT Transportation Conference.
- Speaker, *How to Testify at Trial and in Deposition*, TxDOT Employment Law Seminar.
- Speaker, *Texas Agency Structure*, Contributor, Chapter 2, Volume 45, Texas Practice, Environmental Law.