



**Eileen O'Neill**

Partner

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(713) 335-4828

Eileen is a creative, critical problem-solver and talented courtroom and appellate attorney who brings multiple perspectives to every case. She is a former, highly rated trial judge and one of only a few Texas attorneys who is certified in both civil trial law and civil appellate law. She has also served as an arbitrator and mediator, has extensive experience as an advocate in both domestic and international arbitrations, and has taught trial and appellate advocacy to law students. Eileen has decades of experience spanning many areas of practice, but she most often focuses on trials, appeals, or arbitrations involving complex commercial, energy, and construction matters, catastrophic personal injury cases, and high-stakes probate matters.

In addition to being lead lawyer for trial and appellate matters, Eileen is frequently asked to join litigation teams for large, complex cases. She is skilled in shaping pre-trial case strategy and courtroom presentation, and an expert in handling difficult legal issues and the jury charge. Serving as a neutral judge, mediator, and arbitrator, Eileen gained a deeper sense of how foreign the judicial process is for a client and how stressful it is to be unable to speak directly to the decision maker. She also has an excellent sense of what matters most to a judge and having been the “thirteenth juror” and spoken to every jury that served in her court, Eileen learned what jurors truly want and need to know.

Eileen has divided her time equally between her two specialties of civil trial and civil appellate law for decades because she appreciates the value that each contributes to her practice of the other. And, together, these skills make her well-suited for international arbitration cases involving both extensive written submissions and live witness cross examinations.

**A Limited Liability Partnership**

## **Practice Areas**

Appeals	Construction	Insurance
Arbitration	Employment	Malpractice
Catastrophic Injury	Energy	Probate Litigation
Commercial	Environmental	Products Liability

## **Education**

**J.D., *summa cum laude*, 1984**

University of Houston Law Center

**B.A., 1981**

University of Houston

English

## **+ Representative Experience**

- Obtained multi-million-dollar verdict for individual against Kinder Morgan in partnership dispute involving gas contracts.
- Obtained defense award in construction case involving offshore platform.
- Successfully represented Cingular (AT&T) in telecommunications partnership dispute.
- Successfully represented Trinidadian company in international arbitration involving breach of shareholders agreement and breach of fiduciary duties.
- Successfully defended National Oilwell Varco in multiple federal appeals and two international arbitrations concerning multi-million-dollar construction contract dispute.
- Reversed judgment in case involving billion-dollar methanol contract.
- Obtained full defense verdict in breach of contract, breach of fiduciary duty case involving methanol distribution company.
- Obtained and upheld on appeal judgment notwithstanding fraud findings in multi-million case against company founder.
- Member of litigation team that obtained nine-figure judgment for Exxon Corporation against Certain Underwriters at Lloyds of London with respect to losses arising from Valdez oil spill.

- Various cases and appeals involving life, health, and Directors and Officers policies.
- Successfully defended gun manufacturer in various trial and appellate matters involving alleged manufacturing and design defects.
- Successfully defended commercial property owner and manager in trial court and on appeal in fire case involving multiple deaths and injuries.
- Member of litigation team that obtained defense verdict on plaintiffs' claims and favorable verdict on crossclaim for E. Pierce Marshall in suit brought by Anna Nicole Smith and others over the estate of J. Howard Marshall II.
- Successfully defended estate of Houston philanthropist and businessman against common law wife claim.

#### **+ Recognitions**

- Board Certified in Civil Trial and Civil Appellate Law, Texas Board of Legal Specialization
- American Board of Trial Advocates
- Chambers (Houston Dispute Resolution, 2023)
- Best Lawyers (2018-2023)
- Litigation Counsel of America, The Trial Lawyer Honorary Society, Senior Fellow
- Texas Super Lawyers (2003, 2005, 2008-2023)
- AV® Pre-eminent™ Rated, Martindell Hubbell.
- University of Houston Law Center, Distinguished Student Award (1984)
- Order of the Coif
- Order of the Barristers

## **+ Professional Activities**

- American Board of Trial Advocates (President-appointed National Representative, Past Co-Chair, Amicus Committee, Past or present Member, various committees, including ABOTA Foundation Civics Education Committee, ABOTA International Committee, Civics Education Committee, and Artificial Intelligence Committee)
- Texas Chapters of the American Board of Trial Advocates (Past-President, President, President, President-Elect, Vice President, Secretary, and Treasurer, Co-Chair, Amicus Committee, Co-Chair, Best in Texas Competition Host Committee, Member of various committees including Judicial Independence Committee)
- Houston Chapter of the American Board of Trial Advocates (National Representative, Co-Chair, Judicial Independence Rapid Response Committee)
- Adjunct, University of Houston Law Center (teaching, at various times, Research and Writing, Trial Advocacy, Advanced Trial Advocacy, and Appellate Advocacy)
- University of Houston Law Review Board of Directors, Former Director
- Texas Association of Civil Trial and Appellate Specialists, Member
- American Board of Trial Advocates Foundation, Senior Fellow
- Texas Bar Foundation, Life Fellow
- Houston Bar Foundation, Life Fellow
- American Bar Association, Member
- Texas Bar Association, Member
- Houston Bar Association, Member

## **+ Admissions**

- Southern and Eastern Districts of Texas
- U.S. Court of Appeals for the Fifth Circuit
- U.S. Supreme Court