Ware Jackson
LEE O'NEILL SMITH BARROW

Ferguson McNiel

Partner

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(713) 335-4836

Ferg is an accomplished litigator who, before joining the firm, had over 40 years' experience as a Big Law partner representing companies and individuals in a variety of matters, including energy, construction, and commercial disputes in trial and arbitration. As part of a team or working solo, Ferg has handled virtually every type of dispute for every type of client, from individuals to Fortune 100 companies.

Ferg's, strategic thinking, relentless preparation, attention to detail, and unflappable execution have helped clients meet their objectives in countless matters involving sophisticated business disputes and catastrophic injuries. He is a consummate professional who is liked and admired by clients and fellow trial lawyers. His steady, affable nature and sense of humor have led to Ferg developing longstanding legal and community relationships. And anyone who knows him is aware that, as a former infielder for the University of Arkansas, Ferg is a disciplined, fierce competitor laser-focused on winning.

Ferg upholds the highest professional and legal standards in and out of the courtroom. Throughout his career, he has mentored young lawyers and worked to better the legal profession, which he considers a calling. He brings that integrity to everything he does, including his 38 year marriage and as a parent to twin adult sons.

Practice Areas

Catastrophic Injury
Commercial
Construction
Energy
Environmental
Malpractice
Products Liability

Education

J.D., 1980
University of Arkansas

B.A., with honors, 1977
University of Arkansas
Business Administration

+ Representative Experience

Energy

- Represented the owner of a new gas processing facility being constructed in Canada for claims against the contractor in an UNCITRAL arbitration.
- Represented an oil company involving claims of breach of contract, fraud, and misappropriation of trade secrets pertaining to leases in a South American country.
- Represented a pipeline owner in a putative class action filed on behalf of property owners claiming that its construction of pipelines caused flooding to occur on their properties.

Commercial

- Successfully tried a case in Delaware Chancery Court on behalf of a racing company in an attempted dissolution of the corporation.
- Secured summary judgment for the owner of a regional distribution center, which was affirmed by the Fourteenth Court of Appeals in Houston, that dismissed claims for breach of deed restrictions and nuisance asserted by a neighboring property owner.
- Represented the owner/operator of private toll bridges in an arbitration against claims breach of contract and breach of implied covenant of good faith and fair dealing arising from its construction and operation of a toll bridge.
- Represented a foreign manufacturer of wind turbines used in the generation of electricity.
- Represented a comprehensive provider of waste and environmental services in a suit by various landowners to limit the use of a landfill.

+ Recognitions

- Board Certified in Personal Injury Law and Civil Trial Law, Texas Board of Legal Specialization
- Best Lawyers, Trial Lawyer of the Year, Personal Injury Litigation Defense, 2023
- Best Lawyers (2018-2023)
- Chambers USA
- Legal 500
- The Best Lawyers in America
- Texas Super Lawyer (2008-2012, 2014-2023)
- AV® Pre-eminent™ Rated, Martindell Hubbell
- Phi Beta Kappa

+ Professional Activities

- American College of Trial Lawyers, Fellow
- International Society of Barrister
- American Board of Trial Advocates
- International Association of Defense Counsel
- Texas Association of Defense Counsel, Former member
- Texas Association of Civil Trial and Appellate Specialists, Member
- American Bar Association
- Houston Bar Foundation, Fellow
- Texas Bar Foundation, Fellow
- American Board of Trial Advocates Foundation, Fellow.

+ Admissions

- Southern, Eastern, Northern and Western District of Texas
- Eastern District of Louisiana
- Southern District of New York
- U.S. Court of Appeals for the Second, Third, Fifth, Ninth and Eleventh Circuits
- U.S. Supreme Court