

Gerald L. Bracht



Partner

600 Travis
Suite 4200
Houston TX 77002

P: 713.220.4706
F: 713.238.7358
geraldbracht@andrewskurth.com

A member of the Litigation section, Gerald has extensive experience in defending corporations, officers and/or directors in securities and class action litigation, and counseling fiduciaries in estate, trust and partnership disputes. In addition, Gerald represents individuals and businesses in all types of commercial and business litigation, and represents manufacturers and sellers of products in products liability actions, commercial disputes and toxic tort litigation.

REPRESENTATIVE EXPERIENCE

- Lead trial counsel for trustee of subsidiary in multimillion dollar litigation involving inter-company and breach of fiduciary duty claims between subsidiary and parent. Multi-week trial in Southern District of New York. Case settled favorably for client after trial (2004-2005)
- Co-Counsel for creditors of energy company in multi-week trial involving valuation of the company. Case settled favorably for client after trial. (2005)
- Representation of chemical specialties company in wrongful death case involving industrial accident. Special appearance granted after bench trial. Appeal pending. (2005-2006)
- Representation of individual investors and broker in SEC enforcement action alleging securities laws violations. Settled favorably before trial. (2005-2006)
- Representation of safety equipment manufacturer in shareholder class action suit alleging fraud in connection with merger. Summary judgment granted. No appeal. (2002)
- Representation of group of doctors as defendants in suit alleging breach of partnership agreement. Summary judgment for defendants granted. Appeal dismissed. (2003)
- Representation of vessel fabricator in asbestos litigation in various Texas district courts. All claims against client non-suited and dismissed without payment. (2004-2005)
- Representation of solvent and coatings suppliers in multi-plaintiff toxic tort suit. Clients dismissed without payment before trial. (2002)
- Representation of clay products manufacturer in breach of contract and fraud case brought by environmental remediation companies. Cases filed in district court and before American Arbitration Association. Settled favorably at mediation. (2001)

INDUSTRIES

Aviation
Banking/Finance
Construction
Energy Litigation
Insurance
Manufacturing/Sales
Oil and Gas Natural Resources
Restaurant

PRACTICE AREAS

Arbitration/Mediation
Corporate Compliance,
Investigations and
Defense
Corporate/Securities
Energy
Litigation

EDUCATION

JD, 1976, with Honors,
The University of Texas
School of Law, Phi
Delta Phi, Board of
Advocates, Research
Assistant, Dean Page
Keeton
BBA, 1973, highest
Honors, The University
of Texas, Finance
Faculty Award, Beta
Gamma Sigma, Phi
Beta Kappa

ADMITTED

Texas 1976
US Court of Appeals for
the Fifth Circuit
US Court of Appeals for
the Eleventh Circuit
US District Court for the
Northern District of
Texas

Gerald L. Bracht

- Representation and coordination of defense of major chemical manufacturer in multi-county, statewide litigation involving allegedly defective agricultural chemical. (1993-2001)
- Representation of officers and directors of Fortune 500 company in multi-plaintiff litigation in Houston, Harris County, Texas. Special appearances granted after bench trial. Defendants dismissed. No appeal. (1999)
- Obtained summary judgment on statute of limitations grounds for major chemical company in multiple property damage cases. Affirmed in part, revised in part on appeal to court of appeals. Petition for Review granted by Texas Supreme Court. Argued; case settled before decision. (1999-2002)
- Represented aircraft manufacturers in several federal district court cases that were dismissed on personal jurisdiction grounds. All were affirmed by the Fifth Circuit Court of Appeals.
- Representation of trustees of a joint stock association against allegations of breach of fiduciary duties and self-dealing in connection with the lease of oil and gas properties in the Permian Basin. Case dismissed against trustees. (2000)
- Representation of an oil and gas producer in a benzene exposure case brought by a contractor's employees. Settled favorably at mediation. (2001)
- Representation of oil and gas limited partnerships and officers and directors in a securities fraud case involving the promotion and sale of oil and gas interests and in a related coverage dispute with an E&O carrier. Settled at mediation with payment from carrier. (1992)
- Representation of tobacco manufacturer in tobacco exposure cases filed in Harris County, Texas. Cases dismissed prior to trial.
- First chair and second chair jury trial experience representing various manufacturers of aircraft and aircraft component parts in wrongful death and personal injury cases, which resulted in defense verdicts.
- First chair and second chair jury trial experience representing chemical manufacturer in personal injury and property damage cases, which resulted in defense verdicts.
- Representation of private equity fund accused of tortious interference with contract in connection with purchase and sale of downtown Houston office tower. Case against client dismissed before trial. (1999-2000)
- Co-trial counsel in case representing individual partner accused of fraud in connection with dissolution of partnership. Case settled favorably after trial. (1990)
- Representation of Fortune 500 company against personal injury claims brought as a result of alleged exposure to toxic chemicals due to an explosion at a chemical plant in Mexico. Summary judgment for client. (1997)
- Representation of pipe fabricator in connection with alleged breach of pipe supply contract in connection with underground water line construction project. Settled favorably at mediation. (1991)

US District Court for the Southern District of Texas

US District Court for the Eastern District of Texas

US District Court for the Western District of Texas

US Supreme Court

Gerald L. Bracht

- Representation of railroad tie supplier against fidelity bond insurer for claims arising out of theft of railroad ties by employees. Settled favorably at mediation. (1992)
- Representation of military contractors in connection with wrongful death and personal injury claims. Summary judgments for clients.

PROFESSIONAL/CIVIC AFFILIATIONS

Member

- Houston Bar Association
- Texas Association of Defense Counsel
- University of Texas Law School Alumni Association, Executive Committee
- American Bar Association
- Federal Bar Association
- American Judicature Society
- Garland R. Walker Inn of Court

Life Fellow

- Houston Bar Foundation
- Texas Bar Foundation