

J.J. Hardig

Partner

J.J. Hardig is the Leader of the Tort Litigation Practice Group. He is a veteran business lawyer with a track record of success in and out of courtrooms across Texas for nearly 20 years. His clients range from global engineering and construction services firms to multi-national chemical and consumer product manufacturers to major exploration and production companies to local oilfield service companies. Although diverse, these clients have one thing in common—they count on J.J. to solve their business challenges with creative thinking, skillful negotiation and, when necessary, dogged litigation.

J.J.'s unique trial and appellate experience centers on serious personal injury claims and high-stakes commercial disputes often arising in the construction, energy, and petrochemical industries. His personal injury practice is dedicated to defending catastrophic injury or death claims arising in industrial settings and rig sites from events such as equipment malfunction, electrocution, and exposure to hazardous products and materials. His commercial litigation practice involves complex contract and warranty issues, often arising from service contracts and product supply agreements.

J.J. also has a growing focus on indemnity and insurance coverage issues. These issues arise during the front-end negotiation of a construction or oil and gas-related master services agreement or later when a personal injury or property damage claim arises. J.J. not only negotiates and drafts indemnity and insurance provisions protecting his clients, he also has extensive experience successfully enforcing his clients' indemnity and insurance coverage rights in court.

Experience

Personal Injury Litigation

- Routinely defends EPCM, maintenance and operations contractors



J.J. Hardig

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Industries

Construction
Energy

Practices

Commercial Litigation
Tort Litigation
Insurance
Appellate Law
Construction
Energy

Education

J.D., South Texas College of Law
Houston (1998)
B.S., Texas A&M University (1995)

Judicial Clerkships

First Court of Appeals of Texas, Hon.
Adele Hedges (1999 - 2000)

Bar Admissions

Texas

Court Admissions

United States District Court, Western
District of Texas
United States District Court, Southern

against serious personal injury or death claims.

- Routinely defends industrial property owners against serious premises liability claims arising under Chapter 95 of the Texas Civil Practices & Remedies Code.
- Routinely defends products liability claims brought against chemical and coating manufacturers.
- Routinely defends construction and oil and gas clients against vicarious liability claims arising from acts and omissions of employees.
- Obtained partial summary judgment in serious premises liability case on behalf of chemical plant operator.
- Obtained dismissal of very serious personal injury claim on behalf of EPCM contractor and successfully defended the dismissal on appeal in state appellate court.
- Obtained dismissal of premises liability claim on behalf of major oil and gas exploration and production company.
- Obtained summary judgment of death case in federal court on behalf of government contractor and successfully defended the summary judgment in the Fifth Circuit Court of Appeals.
- Successful resolution of death case involving crane failure for construction client.
- Served as Texas counsel during defense of food product after nationwide recall.

District of Texas
United States District Court, Northern
District of Texas
United States District Court, Eastern
District of Texas
United States Court of Appeals, Fifth
Circuit

Commercial Litigation

- Obtained favorable jury verdict in matter involving multi-million dollar sale of client's business.
- Obtained favorable arbitration award for general contractor in breach of contract dispute involving subcontractor's claims for additional

work, construction delays and lost productivity.

- Obtained favorable judgment after bench trial in breach of contract matter involving the sale of oil and gas related equipment.
- Obtained summary judgment on behalf of coating manufacturer in million dollar breach of warranty/DTPA claim relating to a commercial building.
- Obtained summary judgment on behalf of manufacturer in breach of warranty claim relating to alleged failure of coating on a residence.
- Routinely enforces clients' defense, indemnity and insurance coverage rights, particularly for oil and gas and construction clients.
- Successful resolution of large claim for breach of drilling contract on behalf of oil and gas drilling contractor.
- Successful resolution of significant construction defect claim related to residential high-rise building.
- Successful resolution of large claim for misappropriation of trade secret and copyright infringement on behalf of construction client.
- Successful prosecution of contractual indemnity claim on construction client's behalf after personal injury settlement.
- Successful resolution of significant breach of contract claim arising from construction project in Iraq.
- Successful resolution of property damage claim arising from negligent operation of a commercial bus.
- Successful resolution of negligence and breach of warranty action involving the alleged failure of paint products used on a multi-million dollar residence.
- Obtained dismissal of employer's appeal on behalf of employee after filing brief. The appeal involved non-compete and non-disclosure

issues.

- Obtained temporary restraining order and agreed permanent injunction preventing former employee from utilizing client's previously owned equipment to compete.
- Successfully defeated attempts to enjoin multi-million dollar sale of client's business.

General Business Advice

- Routinely advises businesses on risk analysis and mitigation, litigation prevention strategies and employment-related issues.
- Routinely negotiates contract terms for clients, particularly indemnity and insurance obligations.
- Serves as outside "general counsel" for oilfield service company.

Press Releases

- "Twenty-Nine Gray Reed Attorneys Named 2018 Top Lawyers in Houston" (December 3, 2018)
- "Gray Reed & McGraw Announces New Members of Board" (August 26, 2009)
- "Five Attorneys Join Gray Reed & McGraw" (September 5, 2008)

Honors

- Named a "Super Lawyer" by Texas Super Lawyers (a Thomson Reuters company) as published in *Texas Monthly* (2005, 2013 - 2019)
- Named a *Houstonia Magazine* Top Lawyer in Houston (2018 - 2019)

Organizational Involvement

- State Bar of Texas
- Texas Bar Foundation, Fellow
- Houston Bar Association
- Houston Bar Foundation, Fellow
- National Association of Dealer Counsel