

Jeffrey D. Watters Counsel

Jeff Watters focuses on trusts and estates litigation and administration matters for clients throughout Texas. His litigation practice is largely devoted to resolving fiduciary duty claims arising from the administration of trusts and estates, a unique and challenging area of law where significant dollar amounts are typically at stake and no two cases are ever alike. He also takes lead on a variety of traditional estate litigation matters, including will contests, will interpretation suits and accounting disputes.

In addition, Jeff serves as an advisor to executors and trustees on the entire range of estate-related issues, including guidance on the legal and ethical components of administration, making timely filings with the court, maximizing tax efficiency, and handling modification proceedings when necessary.

Jeff has significant experience in other complex litigation matters as well. He has successfully defended numerous taxpayers in federal estate, gift and income tax litigation and controversies, including disputes and litigation with the Department of Justice and the Internal Revenue Service.

Experience

Tax Litigation

- Obtained Ninth Circuit affirmance of Tax Court decision for taxpayer in case of first impression involving gift/sale of LLC units to family and charity using a dollar value formula based on values as “finally determined for federal gift tax purposes.” (*Petter v. Comm’r*, 653 F.3d 1012 (9th Cir. 2011))

Fiduciary Litigation

- Represented trust beneficiaries in a breach of fiduciary suit against the



Jeffrey D. Watters
1300 Post Oak Blvd.
Suite 2000
Houston, TX 77056
jwatters@grayreed.com

D: 713.986.7113
T: 713.986.7000
F: 713.730.5870

Practices
Trusts & Estates

Education
J.D., *magna cum laude*, Baylor University
School of Law, Senior Executive Editor,
Baylor Law Review (2008)
B.S., *with distinction*, Business
Administration, University of North
Carolina at Chapel Hill (2005)
B.A., *with distinction*, Political Science,
University of North Carolina at Chapel
Hill (2005)

Judicial Clerkships
Justice Don Willett, Texas Supreme
Court, 2008-2009

Bar Admissions
Texas

Court Admissions
United States District Court, Southern
District of Texas
United States District Court, District of
Colorado
United States Court of Appeals, Second
Circuit

trustee. District Court rendered a final judgment in favor of our clients, confirming removal of the trustee and restoring to the trust hundreds of thousands of dollars in wrongful distributions and expenses.

United States Court of Appeals, Fifth Circuit
United States Court of Appeals, Ninth Circuit
United States Tax Court

- Obtained summary judgment on behalf of The Jake and Nina Kamin Foundation regarding construction of the provisions of Mr. Kamin's will. (*In the Estate of Jake Kamin, Deceased*, Probate Court No. 2 of Harris County Texas, Cause No. 399,104-401)

Press Releases

- "Gray Reed Counsel Graduates from 2018-2019 Leadership Academy" (April 2, 2019)
- "Gray Reed Announces Q1 2017 New Hires" (March 31, 2017)

Thought Leadership

- "Remain Calm, All is Well: The State of Independent Executor Removal Law in Texas", *REPTL Reporter Volume 57, No. 2* (May 2, 2019)
- "Remain Calm, All is Well: The State of Independent Executor Removal Law in Texas", *Texas Bar Blog* (March 1, 2018)
- "Hand Over the File or Else: Does a Successor Fiduciary Control the Attorney-Client Privilege?", *REPTL Reporter Volume 56, No. 1* (Winter 2018)
- "What They Don't Know Can Hurt Them: Why Clients Should Know if Their Attorney Does Not Carry Malpractice Insurance", *Baylor Law Review* (2010)
- "Better to Kill Than to Maim: The Current State of Medical Malpractice Wrongful Death Cases in Texas", *Baylor Law Review* (2008)

Speeches and Presentations

- “Appealing from Probate Proceedings”, Bank of Texas Trust Department Monthly CLE (September 16, 2020)
- “Attorney-Client Privilege in Probate”, Houston Trusts & Estates Club (September 9, 2020)
- “Appealing from Probate Proceedings”, TexasBarCLE Intermediate Estate Planning Course and Advanced Estate Planning & Probate Course (June 4, 2020)
- “Handling Common Law Marriage Claims in Estates”, Houston Bar Association’s Probate, Trusts and Estates Section Meeting (February 25, 2020)
- “Handling Common Law Marriage Claims in Estates”, Texas Bar CLE Webinar (May 2, 2019)

Honors

- Selected by his peers for inclusion in Woodward/White, Inc.’s *The Best Lawyers in America* in the field of Trusts & Estates Litigation (2021)
- Named a *Houstonia Magazine* Top Lawyer in Houston (2019)

Organizational Involvement

- State Bar of Texas
 - Real Estate, Probate & Trust Law (REPTL) Section
 - REPTL Section Leadership Academy (2018-2019)
 - Fiduciary Litigation Committee
 - LGBT Law Section

- Houston Bar Association
 - Probate, Trusts & Estates Section
 - Diversity and Inclusion Committee Member
- Houston Estate & Financial Forum
- Houston Estate Planning Association
- Texas Bar College