



## N. Terry Adams, Jr.

Appellate Practitioner

The Law Office of Terry Adams

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Ranked as one of Texas' top appellate lawyers by *The Best Lawyers in America*, *H Texas Magazine*, and *Texas Super Lawyers*, Terry focuses his practice on civil appeals and original proceedings in state and federal courts of appeals, the Supreme Court of Texas and the United States Supreme Court. His practice spans commercial and business disputes, trade secrets, constitutional law, election law, administrative law, and arbitration issues.

Terry also utilizes his intricate knowledge of the law and court procedure to assist litigators with preservation of error at trial, the court's charge, post-verdict motions, dispositive law motions, and briefing during trial and in arbitration proceedings.

### Notable Work

**Constitutional Law:** Represented an internet publisher in the Supreme Court of Texas in obtaining the reversal of a defamation case brought by a public official that protected the First Amendment rights of online publishers.

**Government:** Represented the head of a county commissioners' court in the Supreme Court of Texas clarifying the separation of powers provision in the Texas Constitution and subject matter jurisdiction over a commissioners' court as a governmental entity.

**Texas Anti-SLAPP Statute:** Represented the president of a political advocacy group in the Supreme Court of Texas in obtaining the reversal of a case involving the anti-SLAPP statute and clarifying the standard for recovery of attorney's fees as damages under that statute.

**Oil and Gas:** Represented an offshore drilling company in the Fifth Circuit in defending injunctive and declaratory relief requiring the government to act upon specific drilling permit applications from attack by an intervenor environmental group based on constitutional standing grounds.

### Areas of Practice

Appellate

Litigation

### Education and Clerkships

J.D., South Texas College of Law – Houston

Editor-in-Chief, *South Texas Law Review*

B.A., Denison University, Political Science, Economics

Briefing Attorney, the Honorable Justice Raul A. Gonzalez, Supreme Court of Texas

Judicial Intern, Fourteenth Court of Appeals at Houston

### Admissions

Texas

### Court Admissions

United States Supreme Court

U.S. Court of Appeals for the Fifth Circuit

U.S. Court of Appeals for the Ninth Circuit

U.S. District Court for the Northern District of Texas

U.S. District Court for the Southern District of Texas

U.S. District Court for the Eastern District of Texas

U.S. District Court for the Western District of Texas

U.S. District Court for the District of Columbia

**Trade Secrets:** Secured victories for a catalyst activation company in the court of appeals in two separate mandamus proceedings where discovery of confidential customer information was sought and then on appeal against claims for breach of fiduciary duty, breach of confidentiality agreements, misappropriation of trade secrets, and civil theft of trade secrets.

**Aviation:** Represented an airplane component manufacturer in the court of appeals in upholding a dismissal with prejudice for want of prosecution from a personal injury case based on the trial court's inherent power.

**Residential Home Builder:** Represented a home builder in the court of appeals in obtaining the affirmance of a take nothing judgment in a commercial dispute involving noncompliance with a condition precedent.

**Residential Home Builder:** Represented a home builder in a mandamus proceeding in the court of appeals involving the disqualification of a plaintiff's law firm.

**Residential Home Builder:** Represented a home builder in the Supreme Court of Texas, obtaining a writ of mandamus compelling arbitration against a non-signatory to an arbitration agreement.

**Voting Rights Act:** Represented a political advocacy group in the Fifth Circuit in obtaining the reversal of a case where the district court awarded attorneys' fees to a plaintiff who was not a prevailing party at trial.

**Election Law:** Represented a state senator in the court of appeals in an election contest mandamus involving candidate eligibility and Texas residency under the Election Code and Texas Constitution.

**Healthcare:** Represented a healthcare provider in the court of appeals obtaining a reversal and rendition under the Texas Medical Liability Act, where a plaintiff did not timely serve an expert report as nonsuiting the case and then refiled it again.

**Healthcare:** Represented a healthcare provider in the court of appeals obtaining mandamus relief under the Texas Medical Liability Act and requiring a mandatory stay of all discovery in an entire health care liability case when any healthcare defendant pursues an interlocutory appeal on the sufficiency of a medical report.

**Automotive:** Represented a truck manufacturer in the court of appeals obtaining the reversal of an administrative final order where the agency re-decided its own judicially affirmed determination of good cause to terminate a dealership.

**Automotive:** Represented an automobile manufacturer in the Supreme Court of Texas obtaining a writ of mandamus in a discovery dispute upholding German privacy laws.

## Professional Honors

Named to *The Best Lawyers in America* (Appellate), 2019

Selected as a *Texas Super Lawyer*, Thomson Reuters (Appellate), 2011-2019

Named a Top Lawyer in Houston by *H Texas Magazine*, H Texas Partners, 2007-2019

Rated AV Preeminent by Martindale-Hubbell, 2003-2019

## Professional Activities

Member, State Bar Court Rules Committee, 2019-2022

Member, Jury Task Force, Supreme Court of Texas, 1996

Board Member, Advisory Council for the *South Texas Law Review*

Member, Supreme Court of Texas Historical Society

Fellow, Texas Bar Foundation

Fellow, Houston Bar Foundation

## Affiliations

State Bar of Texas, Appellate Practice and Advocacy Section

Houston Bar Association, Appellate Practice Section

American Bar Association

Texas Association of Defense Counsel

College of the State Bar of Texas

Bar Association of the Fifth Circuit

## Newsroom

Quoted in "Texas High Court Pauses Trial in Galveston Separation of Powers War," *Texas Lawyer*, January 8, 2016

Quoted in "Texas High Court Likely to Boost Medical Malpractice Reform," *Law 360*, January 4, 2013.