

### Robyn Bigelow Hargrove

Robyn joined Scott Douglass & McConnico in 2001 and has represented individuals, business entities, professionals, and government entities in a wide variety of complex commercial litigation matters since that time. Robyn has successfully defended a number of professional malpractice and professional sanctions cases, both in Texas and out of state. She also has significant experience representing both plaintiffs and defendants in fiduciary litigation, contract disputes, coverage litigation, business torts, and other complex commercial cases. Robyn also represents manufacturers in defending products liability claims related to medical device and pharmaceutical products.

Robyn's practice emphasizes appellate representation and trial court litigation involving complicated legal issues.

### Recognitions & Awards

Order of the Coif

Texas Law Review

Texas Super Lawyers – Rising Star, 2010

### Representative Matters

Ongoing representation of manufacturer in federal multidistrict litigation involving pelvic mesh products. Manages motions practice for all MDL cases handled by the firm.

Along with Abe Kuczaj and Ryan Squires, represented hundreds of property owners in property damages claims arising out of the Bastrop County Complex Fire. Successfully handled interlocutory appeal of lawsuit, obtaining a favorable ruling for all clients on complex limitations issues related to the *American Pipe* tolling doctrine.



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#### RELATED PRACTICE AREAS:

- Appellate
- Business Torts
- Commercial Litigation
- Governmental Entity Litigation
- Insurance Coverage
- Insurance Litigation
- Pharmaceutical and Medical Device
- Professional Malpractice Defense
- Professional Malpractice,

Representation of law firm in appeal of an order denying arbitration. Successfully obtained an appellate court judgment that the plaintiff's attempts to manipulate the judicial process resulted in a waiver of the right to arbitrate.

Representation of operator in a well blowout coverage dispute. Obtained a summary judgment in favor of coverage, and an affirmance on appeal.

Co-representation of plaintiff in a section 1983 civil rights case. Obtained order denying the defendants' Rule 12(b)(6) motion and permitting expedited discovery of the identity of officers involved in the incident.

Representation of law firm against claims of fraud, malicious prosecution, section 1983 constitutional violations, and abuse of process. Obtained order dismissing all claims against firm as a matter of law.

Representation of political campaign against claims of alleged Election Code violations in a gubernatorial election.

Representation of plaintiffs in a multi-million dollar fraud and breach of fiduciary duty case involving an acquisition of oil and gas interests.

Represented a Texas law firm defending against a \$50 million claim for alleged professional malpractice in Florida. Obtained favorable rulings striking the plaintiff's key expert witness and granting summary judgment for the law firm.

Defended a Texas law firm against claims for sanctions arising from its representation of Mississippi silicosis clients in multi-district litigation. Obtained favorable rulings at the trial court and the Mississippi Supreme Court.

Represented pipeline owner against multiple defendants in case concerning a raw water transmission line that collapsed shortly after its construction. Defendants included the performance bond surety, design engineers and various

subcontractors and material suppliers.

### **Bar Admissions & Activities**

Admitted to the State Bar of Texas, United States Supreme Court, U.S. District Court for the Northern, Southern, and Western Districts of Texas, and the U.S. Court of Appeals, Fifth and Eleventh Circuits

Member, Texas Bar Foundation, Travis County Bar Foundation, Travis County Women Lawyers' Association, Austin Bar Association, Austin Bar Association Civil Litigation Section, Austin Bar Association Civil Appellate Law Section

Board, Austin Bar Association Civil Litigation Section, 2010-2013

Board, Travis County Women Lawyers' Association, 2010-2011

Lloyd Lochridge Chapter of American Inns of Court, 2010-2012

Pro bono representation of clients through Volunteer Legal Services on an annual basis

Barbara Jordan Chapter of American Inns of Court, 2016-present

### **Community and Charitable Organizations**

Chancellor, Episcopal Church of the Good Shepherd, Austin, Texas, 2011-present

Board Member, Louise H. Batz Patient Safety Foundation, from inception to present

### **Education**

Duke University, B.A., with honors in Public Policy Studies, minor in Spanish, 1996

University of Texas School of Law, J.D., with honors, 2001.

### **Articles and Presentations**

Panelist, American Bar Association Litigation Section National Conference, The Ethics of Lawyer-Client Fallout, April 2013

Co-presenter with Robert Tobey, Legal Malpractice Avoidance, at the 2012 Advanced Personal Injury Course, San Antonio, Texas

Co-author and presenter with Robert Tobey, Malpractice Trends: An Update on Recent Developments in Texas Legal Malpractice and Ethics Law, at the 2010 Advanced Civil Trial Course, Dallas, Texas

Co-author and presenter with Steve McConnico, Recent Developments and Unresolved Issues in Texas Legal Malpractice Law, Texas College for Judicial Studies, April 2010

Presentation on legal ethics issues related to collaborative law, given at the Austin Collaborative Divorce Professionals Alliance Master Class, April 2010

Presentation on litigating fiduciary duty claims, given to the Estate Planning and Probate Section of the Austin Bar, November 2009

Legal Malpractice: What's the Law and How to Prevent Committing Malpractice, Baylor University General Practice Institute, April 2012

Evaluating and Litigating Fiduciary Duty Claims, 2009 Page Keeton Civil Litigation Conference

Malpractice for Litigators: An Update on Recent Developments in Texas Legal Malpractice and Ethics Law, 2009 State Bar Advanced Civil Trial Course

Unresolved Problems in Texas Legal Malpractice Law, 36 St. Mary's Law Journal 989 (2005)

Summary of Recent Developments in Texas Legal Malpractice Law, 33 St. Mary's Law Journal 607 (2002)

### **Selected Reported Cases**

*Asplundh Tree Expert Co. v. Abshire*, 517 S.W.3d 320 (Tex. App.—Austin 2017, no pet.)

*Crisp v. Dutton*, 2015 WL 7076483 (W.D. Tex. Nov. 12, 2015) (Lane, M.J., Report & Recommendation)

*Hogg v. Lynch, Chappell & Alsup, P.C.*, \_\_S.W.3d\_\_, 2015 WL 6951153 (Tex. App.—El Paso Nov. 10, 2015, n.p.h.)

*St. Paul Fire & Marine Ins. Co. v. Petroplex Energy, Inc.*, \_\_S.W.3d\_\_, 2015 WL 5173035 (Tex. App.—Eastland Aug. 31, 2015, n.p.h.)

*Choctaw, Inc. v. Campbell, Cherry, Harrison, Davis & Dove*, 965 So.2d 1041 (Miss. 2007)

*Goldman v. Bracewell & Giuliani, L.L.P.*, 183 Fed. Appx. 873 (11th Cir. 2006)