SCOTT DOUGLASS McCONNICO



Cindy Saiter

PARTNER

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Overview

Cindy's practice includes a wide range of complex commercial litigation with an emphasis in technology litigation, products liability defense, fiduciary duty litigation, probate and estate litigation, officer and director liability and legal malpractice defense. Cindy has extensive experience representing individuals and companies in Austin's technology and emerging growth markets. These cases typically involve claims of fraud, breach of licensing agreements, breach of non-disclosure agreements, misappropriation of trade secrets and violations of covenants not to compete. Cindy has also defended attorneys in cases arising from underlying patent infringement litigation, personal injury litigation, commercial litigation, airplane leases, probate and estate work, bridge loan financing and other transactional matters.

Experience

Won summary judgment on interpretation of partnership agreement in law firm divorce resulting in client receiving all accounts receivables.

Representation of hedge fund in defending against allegations of fraud, breach of contract, and breach of fiduciary duty brought by former investor.

Won jury trial in property rights dispute, including award of all attorneys' fees requested for client.

Negotiated settlement of multi-million dollar fraud and breach of contract claims arising out of supply contract dispute.

Won summary judgment against damages claim in commercial arbitration, leading to favorable settlement.

Won summary judgment declaring that a private corporate entity operating Texas prisons is subject to the Texas Public Information Act.

Won summary judgment dismissing breach of contract claim seeking $1 million in liquidated damages.

Prevailed in bench trial awarding judgment for full amount of accelerated rent and penalties available in landlord-tenant dispute.

Obtained new trial after 4 week jury trial on stockholder oppression and breach of fiduciary duty claims arising from family business dispute.

Obtained injunction against real property lease and appointment of agent to negotiate for company involved in shareholder dispute.

Won summary judgment in case involving land use restrictions, allowing development of marina on Lake Travis.

Represented client in suit to recover family ranch lands arising from probate of family member's multi-million dollar estate. Defended against claims of incapacity, undue influence and fraudulent inducement.

Obtained summary judgment in favor of attorney clients sued for malpractice arising from underlying patent infringement litigation valued at over $1 billion. Case involved claims of patent invalidity under on sale bar rule due to prior lease of invention.

Defended attorneys in malpractice suit arising from lease of airplanes to company in Mexico. Case involved issues of Texas and Mexican legal malpractice, contract, property and aviation law.

Represented entrepreneur in pursuing claims of breach of contract and fraud against product development company.

Defended foreign individual sued by former employer for claims of misappropriation of trade secrets, breach of non-disclosure agreement and covenant not to compete.

Represented family-owned insurance company in pursuing claims of fraud, theft and federal RICO violations against retail insurance agency arising from the sale of physical damage insurance to trucking companies.

Successfully defended out-of-state insurance agent in suit by former employer for breach of covenant not to compete.

Represented software development company to pursue claims against customer for breach of services agreements and misappropriation of trade secrets.

Represented on-line education company in suit against former employee for business disparagement, misappropriation of trade secrets and breach of contract. Obtained injunctive relief to restrain employee from internet postings revealing confidential company information and defamatory statements regarding company business practices.

Successfully represented locally-owned insurance company in claims against AIG and its third party administrator for fraud and unfair insurance practices arising from automobile extended warranty contracts.

Defended claims of negligence and breach of fiduciary duties against attorneys arising from probate of client's estate in Williamson County.

Prosecuted claims for violations of the Texas Insurance Code in connection with the formation and operation of a fraudulent health insurance program against insurance agents, professional employee organizations, preferred provider organizations, and third-party administrators on behalf of a Special Deputy Receiver appointed by the Texas Commissioner of Insurance.

Selected Reported Cases

Minton v. Gunn, 301 S.W.3d 702 (Tex. App.—Fort Worth 2009), reversed, 355 S.W.3d 634 (Tex. 2011), reversed, 133 S.Ct. 1059 (2013).

In Re Graham, 251 S.W.3d 844 (Tex. App.—Austin 2008, orig. proceeding)

Jackson v. West Telemarketing Corp., 245 F.3d 518 (5th Cir. 2001), cert. denied, 122 S.Ct. 394 (2001)

Lyn-Lea Travel Corp. v. American Airlines, Inc., 283 F.3d 282 (5th Cir. 2002), cert. denied, 123 S.Ct. 659 (2002)

Awards

- The Best Lawyers in America®, Commercial Litigation; Litigation – Trusts and Estates, by BL Rankings, 2019-2027
- Doyle's Guide Leading Trusts, Estates & Probate Litigation Lawyer Rankings – Austin, 2026
- Selected as "Lawyer of the Year" by The Best Lawyers in America in Litigation – Trusts and Estates, Austin, by BL Rankings, 2023
- *Austin Monthly*, Austin's Top Attorneys in Commercial Litigation, 2022 – 2026
- Texas Super Lawyers, a Thomson Reuters business, Business Litigation, 2014 – 2026
- *Top 50 Central/West Texas Super Lawyers*, a Thomson Reuters business, 2023, 2025
- Top 50: Women Texas Super Lawyers, a Thomson Reuters business, 2020, 2022
- J. Chrys Dougherty Award, Volunteer Legal Services of Central Texas, 2022
- Kristi Couvillon Pro Bono Award, 2014
- Texas Rising Star, a Thomson Reuters business, 2005

Articles & Presentations

- "Privilege Issues for In-House Counsel," presentation for PowerSchool legal team, February 2022
- "Ethical Issues In Contract Negotiations" Panelist at the Texas State Bar Advanced In House Counsel Course, August 2017.
- "Liability Risks in Trust and Estate Planning and Administration" Presented at Annual Estate Planning and Probate Section CLE, Austin Bar Association, May 2017.
- "Litigation Strategies for In-House Counsel," Corporate Counsel Review—volume XXXVI – May 2017, Number 1
- "Ethical Rules Every Lawyer Should Know: Advertising and Barratry" Presented at the Austin Bar Association Holiday Ethics CLE, December 2, 2016
- "Taking Depositions in Business Cases" Presented at The University of Texas School of Law Winning at Depositions, August 26, 2016
- "Litigation Strategies for In-House Counsel" Presented at the State Bar of Texas Advanced In-House Counsel, August 11-12, 2016
- "State Bar Advertising Rules: Can You Say That?" Presented with Paige Amstutz at the Austin Bar Association Civil Litigation Section Summer Party and Ethics CLE, June 20, 2016
- "Dismissal Procedures Under Texas Rule of Civil Procedure 91a" presented by Kennon L. Wooten at the 26th Annual Conference on State and Federal Appeals, June 9-10, 2016
- "Ethical Challenges for In-House Counsel" Presented with Asher Griffin at the State Bar of Texas Corporate Counsel Section, March 31, 2016
- "What Remains of Shareholder Oppression in Texas?" Presented at the State Bar of Texas Business Disputes 2014, September 11-12, 2014
- "Shareholder Oppression" Presented at the State Bar of Texas Business Disputes 2013, September 12-13, 2013
- "Tribal Wars: Shareholder Oppression" Presented at the South Texas College of Law 27th Annual Wills and Probate Institute, September 20-21, 2012
- "Shareholder Oppression Actions" Presented at the Austin Bar Association Estate Planning & Probate Section, May 18, 2012
- "Shareholder Oppression Actions" Presented at the State Bar of Texas Fiduciary Litigation Seminar, December 1-2, 2011

News & Insights

- Cindy Connolly Defeats Multi-Million Dollar Legal Malpractice Claims
- Cindy Connolly Wins Appeal Allowing Marina Development to Proceed
- U.S. Supreme Court Ruling - Patent Law Malpractice Issue
- Cindy Saiter prevails in Jury Trial
- Cindy Saiter to Speak at In-House Counsel Course
- Cindy Saiter prevails on appeal
- The Top Women Attorneys in Texas 2020 - Super Lawyers
- SDM Lawyers Recognized in The Best Lawyers in America, 2022 Edition
- Congrats to our 2021 Texas Super Lawyers
- 13 SDM Lawyers Recognized in Best Lawyers® 2023 Honors
- Congrats to our 2022 Texas Super Lawyers
- Top Attorneys named by Austin Monthly Magazine
- SDM Lawyers Recognized In Best Lawyers® 2024
- Congrats to our 2023 Texas Super Lawyers
- SDM Lawyers Recognized In Best Lawyers® 2025
- Congrats to our SDM 2024 Texas Super Lawyers
- Top Attorneys named by Austin Monthly Magazine 2025
- SDM Lawyers Recognized in 2026 Best Lawyers® Awards and Best Lawyers Ones to Watch® in America
- Congrats to our SDM 2025 Texas Super Lawyers
- Top Attorneys named by Austin Monthly Magazine 2026
- SDM Lawyers Recognized in 2027 Best Lawyers® Awards and Best Lawyers Ones to Watch® in America
- SDM Lawyers Recognized in 2026 Texas Super Lawyers®

Practice Areas

- Business Litigation & Torts
- Fiduciary Duty Litigation
- Intellectual Property Litigation
- Pharmaceutical & Medical Device
- Professional Malpractice, Licensing & Regulation
- Personal Injury & Products Liability
- Securities & Complex Financial Litigation

Education

- Duke University, AB, cum laude, 1993
- University of Texas School of Law, J.D., 1996

Admissions

- State Bar of Texas
- U.S. District Court for the Eastern, Northern, Southern and Western Districts of Texas
- U.S. Court of Appeals
- Fifth Circuit
- United States Supreme Court

Activities

- Vice-Chair, State Bar of Texas, Women in the Profession Committee, 2018- 2021 term; Member, 2011-Present
- Chair, Civil Litigation Section, Austin Bar Association, 2009 – 2010
- Treasurer, Civil Litigation Section, Austin Bar Association, 2008 – 2009
- Council Member, Civil Litigation Section, Austin Bar Association, 2008-2010
- President, Travis County Women Lawyers' Association, 2011 – 2012
- Board Member, Travis County Women Lawyer's Association, 2008 – 2012
- Board Member, Travis County Women Lawyer's Foundation, 2010 – present
- Board Member, Austin Bar Association, 2012 – present
- Fellow, Travis County Women Lawyers' Foundation
- Member, Texas Bar Foundation District 9 Nominating Committee
- Fellow, Texas Bar Foundation
- Fellow, Austin Bar Foundation
- Faculty, 2014 & 2015 Women In Law Institute