



J. David Rowe, PLLC

Managing Partner - Austin Commercial Litigation

Austin

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At a Glance

Tenacious Trial Lawyer

David has an extensive and impressive record handling high-stakes, complex cases involving contract and statutory claims as well as business torts, partnership disputes, antitrust claims, and class actions. Clients trust David when the stakes are high.

Winning Verdicts

David's long list of impressive litigation victories includes multi-week jury and bench trials, arbitration hearings and contested evidentiary hearings. When disputes need to be tried, David is the lawyer with skill and experience to see the case through.

Varied Industry Experience

David's clients range from property and business owners to healthcare providers, technology companies, oil and gas companies, auto parts manufacturers, and water utilities.

J. David Rowe, PLLC is a Senior Partner practicing in MWM's commercial litigation section and a member of the firm's executive committee. David brings over 28 years of trial experience representing clients in high stakes, complex business litigation matters and class actions. His experience includes prosecuting and defending complex commercial cases involving contract and statutory claims as well as fraud, business break-ups, partnership disputes, fiduciary duty, and other business torts. He also handles antitrust matters and class actions.

Known for winning favorable verdicts, judgments, and appeals, David is a highly skilled trial lawyer representing clients that range from property and business owners to health care providers, technology companies, oil and gas companies, auto parts manufacturers, and water utilities.

David's experience includes partnership and shareholder disputes, construction defect and payment disputes, copyright and trademark infringement, antitrust, civil RICO, landlord-tenant, trade secrets and unfair competition, covenants not to

compete, breach of warranty, and securities fraud cases. This wealth of experience encompasses a wide variety of industries including real estate, automotive parts, truck leasing, retail, video gaming, software development, telecommunications, mining, insurance, water treatment, oil and gas, after-market warranties, financial institutions, and health care.

David began his career as an associate in an international law firm, where he trained for more than a decade, gaining invaluable experience. In 2006, David joined an Austin-based law firm, where he honed his trial skills before joining MWM in 2021.

David also serves as an adjunct professor, teaching trial advocacy at the University of Texas School of Law where he graduated with honors and served on the editorial board of the Texas Law Review and as director of the Legal Research Board. Listed as a Texas Super Lawyer in business litigation, David brings considerable trial experience to MWM's award-winning litigation section. He is a member of the State Bar of Texas, the Austin Bar Association and is a Fellow of the Texas Bar Foundation.

Experience

- Lead counsel for water utility alleging antitrust violations by a River Authority
- Co-lead counsel defending real estate brokerage in a putative class action alleging antitrust violations
- Co-lead counsel defending an auto maker in a putative class action alleging fraud
- Co-lead counsel for class in *Matson v. NIBCO*, resulting in settlement fund valued at \$8.1 million
- Lead counsel for publicly-traded water treatment equipment manufacturer. Obtained a take-nothing judgment after a 3 1/2-week jury trial. Plaintiff sought \$60 million+ on claims of fraud, product defect, and breach of warranty
- Lead counsel representing auto parts supplier in one of the nation's largest, multi-district, antitrust class action cases. Negotiated favorable settlement after aggressively defending claims
- Lead counsel for owner of an office building seeking to enforce an agreement to provide parking space access in a nearby parking garage. A subsequent owner of the garage argued the agreement was not enforceable because it had not been recorded and the owner did not otherwise have notice of it. After a two-week bench trial, the Court ruled that the parking agreement is enforceable
- Lead counsel for purchaser of real estate, asserting claims of fraud. Obtained judgment on all claims after a week long jury trial
- Co-lead counsel representing subcontractor against general contractor on a project involving construction of a solar power plant. Three-week arbitration hearing resulted in a multi-million dollar award for client
- Lead counsel representing investor in a technology company. Company and investor were sued by a former contract marketer alleging the investor caused the Company to improperly terminate the marketing contract, resulting in the loss of \$50 million+ in sales commissions. Plaintiff eventually gave up, voluntarily filing a dismissal that taxed Defendant's costs against the Plaintiff
- Lead counsel representing closely held corporation in action to enforce non-compete agreements against a group of former employees who left to form their own competing business. Obtained temporary injunction enforcing the non-compete agreements after week-long bench trial
- Lead counsel representing group of investors who had been defrauded. Obtained judgment for clients on all claims
- Lead counsel representing closely-held corporation in action against former employee who was also a minority shareholder and officer. Plaintiff alleged that Defendant embezzled cash, then took trade secrets to form a new competitor. Defendant counterclaimed, alleging minority shareholder oppression. Obtained settlement for client that included return of stolen business and a five-year non-compete agreement

Focus Areas

Antitrust & Competition
Automotive Technology
Arbitration
Banking & Financial Services
Business Breakups & Partnership Disputes
Class Action Litigation
Commercial Litigation
Corporate Governance Litigation
Internal Investigations
Securities Litigation
Health Care
Private Equity
Trade Secret Litigation

Education

University of Texas School of Law, JD, 1995
Book Review Editor, Texas Law Review
Legal Research Board Director
University of Oklahoma, BA, 1988

Associations & Memberships

- Adjunct Professor, University of Texas at Austin, School of Law, Trial Advocacy (2008-Present)
- Director, Civil Litigation Section, Austin Bar Association (2005-2010)
- Chair, Bench Bar Section, Austin Bar Association (2003-2005)

Honors & Awards

- Texas Super Lawyer, Thomson Reuters
2020 – 2023

Bar Admissions

Texas, 1995

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

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 Western District of Texas

U.S. Court of Appeals for the Fifth Circuit

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