

# Stephen Clarke

Associate

**Practices:** Business Divorce; Business Litigation; Energy Litigation; Business Divorce for Minority Investors; Business Divorce for Majority Owners; Business Divorce for Family Law Matters

Stephen Clarke is a trial and appellate lawyer who focuses on complex civil litigation. He has represented plaintiffs and defendants in a variety of cases in federal and state courts throughout the country, with an emphasis on complex commercial disputes, contract and business tort litigation, class actions, insurance litigation, fiduciary litigation, real-estate litigation, and construction litigation. He also advises businesses and individuals on risk management and litigation avoidance.

Since joining Winstead in 2011, Stephen has assisted with every phase of dispute resolution, including drafting pleadings and dispositive motions, managing e-discovery, taking and defending depositions, prepping witnesses, handling hearings, conducting trials and mock trials, engaging in mediation, negotiating settlements, preparing appellate briefing, and arguing appeals.

Before joining the firm, Stephen served as a law clerk to the Honorable Edward C. Prado of the United States Court of Appeals for the Fifth Circuit and the Honorable Mark E. Fuller of the United States District Court for the Middle District of Alabama.

Stephen received his law degree with honors from The University of Texas School of Law in 2009, where he was an Articles Editor on the Editorial Board of the Texas Law Review. He received his bachelor's degree in accounting and history from the University of Virginia in 2006. He is a native of Stillwater, Oklahoma, and a Texan by marriage.

## Representative Experience

- Defending a multi-national insurance company involved in the sale of a supplemental disability insurance program in a series of putative class actions around the country alleging violations of consumer-protection statutes. Obtained dismissal with prejudice of all claims in several jurisdictions.
- Defending a real estate developer from a challenge to the approval and construction of a commercial retail development in Dallas. Defeated plaintiff's application for a temporary injunction pending trial.
- Representing a local manufacturer of aluminum extrusion products in multiple property-tax disputes with the Dallas tax appraisal district.
- Advising a local sports and community venue regarding regulatory and compliance matters.
- Defended the former lessee of a 315-acre industrial manufacturing facility in Dallas Country against breach-of-lease and environmental-contamination claims brought by the owner of the property.
- Defended a professional consulting firm from a claw-back lawsuit brought by the court-appointed receiver of the Stanford Financial group of entities.



## Dallas Office

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## Education

University of Texas School of Law

- J.D., 2009
- Articles Editor, *Texas Law Review*

University of Virginia, McIntire School of Commerce

- B.S.C, Accounting and History, 2006

- Represented a global manufacturer of aerostructures for jet aircraft in a lawsuit seeking recovery of damages from the designer and manufacturer of a defective custom ultrasonic inspections machine. Obtained a favorable judgment after trial.
- Represented the nation's largest producer of construction aggregates in a breach-of-contract lawsuit against the general contractor of a highway construction project. Obtained favorable settlement.
- Represented multiple midstream pipelines companies in the acquisition of easements for the construction of oil and gas pipelines, and related litigation.

## Professional & Community Service

- State Bar of Texas
- Dallas Bar Association
- Dallas Young Lawyers Association
- American Bar Association, Litigation Section
- Providence Presbyterian Church (PCA)

## Awards & Recognition

- Texas Rising Star, Thomson Reuters, 2017-2019

## Admissions

- U.S. Court of Appeals, Fifth, Eighth and Eleventh Circuits
- U.S. District Court, Northern, Southern, Eastern and Western Districts of Texas
- Texas, 2009