



Rodney H. Lawson

Partner

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I firmly believe that there is a reasonable solution for every problem, and I fight hard to get the results my clients want and need. For me, being a lawyer isn't a 9-5 job, but rather a way of life. My clients know I'm entirely committed to them and am passionate about helping them around the clock, every day of the week.

With decades of experience in advocating vigorously and successfully for his clients, Rodney Lawson specializes in health care law and litigation, as well as business litigation, products liability, and oil and gas litigation. His practice largely serves Texas-based organizations, particularly in the Dallas area, including many area hospitals and medical practitioners. He also practices out of the firm's East Texas office in Longview.

Rodney brings a great deal of expertise and confidence to each matter. At the same time, he rejects cookie-cutter solutions and never operates by rote. Instead, he recognizes the unique circumstances and nature of each case and approaches them accordingly. Rodney constantly looks for opportunities to minimize clients' expenses by resolving matters advantageously before they go to trial.

A highly ethical, responsible, and straight-shooting lawyer, Rodney possesses an ability to relate to clients, as well as opposing lawyers, judges, and juries, which has proven invaluable over the years. People involved in his cases understand that nobody works harder or with more determination to achieve the goals of those he represents.

Growing up in East Texas, Rodney enjoyed doing various jobs — baling hay, working in a steel mill, laying asphalt, life guarding, and loading beverage trucks. The experiences strengthened his resolve to get an education and an occupation based “in a tall building with air conditioning.” Importantly, it also instilled in him deep respect for people in many different occupations as well as the work ethic that serves him and his clients so well every day.

Significant Matters

- Rodney has successfully defended numerous medical malpractice cases (including both medical surgical facilities and psychiatric facilities) involving catastrophic injuries and death.
- Rodney has successfully defended numerous products liability cases involving a variety of medical equipment and medical devices.
- Rodney has represented both hospitals and physician in numerous physician credentialing and corrective actions.
- Rodney has authored several articles on physician credentialing and corrective actions. See the Peer Review Credentialing and Self-Evaluation Privilege and Immunities – Has the Pendulum Swung Too Far? Sedona Conf. T. (2002)
- Rodney successfully prevailed in the Texas Supreme Court in connection with his representation of a lessor in a title dispute involving a disputed mineral interest. *Wessely Energy Corp. v. Jennings*, 736 S.W. 2d 624 (Tex.1987)
- Rodney successfully tried in federal court in the Eastern District of Texas a mineral title dispute lawsuit in which he represented the lessee. *Young v. Amoco Production Co.*, 610 F. Supp. 1479 (E.D. Tex. 1985).
- Rodney successfully defended a major oil company that was sued by several individuals who were seriously injured in an explosion of an oil storage tank.
- Rodney successfully tried the defense of a lessee’s mineral leasehold interest in Wise County, Texas, which involved claims that the lease had terminated due to an alleged cessation of production.
- Rodney successfully tried a lawsuit in federal court in Brownsville, Texas against claims by a major bank holding company that a farm implement manufacturer’s liens on millions of dollars of farm equipment were subordinate to those of the bank’s.

HEALTH LAW/MEDICAL MALPRACTICE

Rodney is the head of the firm’s Health Law Practice Group. For more than 35 years, much of his law practice has focused on health law, primarily involving the representation of hospitals. He has successfully defended hospitals in numerous medical malpractice cases involving catastrophic injuries, including but not limited to matters concerning emergency room care, obstetrics, anesthesiology, radiology, neurology, and surgeries of all types. Rodney’s experience in this area also includes representation of free standing psychiatric hospitals in medical negligence cases of all sorts, including patient suicides. He also has extensive experience representing hospitals in credentialing and peer review matters, both in the context of litigation and more often in the administrative hearing setting. Rodney has written and lectured extensively on the related subjects of physician credentialing, physician peer review, and the complex world of peer review/hospital committee privileges. Rodney

also regularly advises hospitals and their committees on non-litigation matters. By way of example, he is very experienced in counseling hospitals on end of life legal issues. Rodney also has significant experience handling commercial litigation involving health care. This includes medical office lease disputes and legal issues concerning third-party vendors of all types, including information technology, construction, and medical equipment.

Over the last decade or more, Rodney's practice has expanded into other areas of health care, including fraud and abuse (Stark, Anti-Kickback, and the False Claims Act), regulatory compliance, patient privacy and electronic medical records security (HIPAA, HITECH, and the Texas Medical Records Privacy Act), and the Patient Protection and Affordable Care Act. In addition to his litigation experience defending against claims asserted under the False Claims Act, Rodney has also advised numerous investors, businesses, and providers in connection with a variety of health care transactions and ventures, including medical laboratories, dialysis centers, medical service agreements, physician contracts, and physician practice groups. Rodney has advised clients on matters involving not only Texas law, but also the laws of numerous other states.

PRODUCTS LIABILITY/TOXIC TORTS/PERSONAL INJURY DEFENSE

Rodney is also the head of the Firm's Personal Injury Defense Practice Group. For almost 30 years, Rodney has defended products liability cases, including but not limited to toxic tort matters. His practice has included the trial of automotive, farm machinery, and asbestos lawsuits, and the successful defense of medical device manufacturers. Rodney has also represented national restaurant chains in the defense of personal injury claims alleging food contamination and food-borne illnesses. As discussed in greater detail below, Rodney has extensive oil and gas litigation experience. In the personal injury context, he successfully obtained a summary dismissal of a lawsuit against a major oil company after extensive litigation arising from serious personal injuries sustained as the result of an explosion at an oil storage facility.

OIL AND GAS/CONDEMNATION

Rodney grew up in Longview, Texas, in the middle of the East Texas oilfield. That experience has provided him with extensive practical knowledge of the industry. Rodney has successfully tried and argued on appeal numerous energy related matters involving such varied subject matters as title disputes over highly successful producing properties, breach of contract claims concerning a salt water disposal storage facility, and the aforementioned explosion at an oil storage facility. One case originating in Upshur County, Texas, was ultimately won in the Supreme Court of Texas, which case is cited not only for the land title law made by the Supreme Court but also because of the successful use of creative arguments relying upon federal and state constitutional law barring gender based discrimination. *Wessely Energy Corp. v. Jennings*, 736 S.W.2d 624 (Tex. 1987). Other successful results include *McKinney v. Waggoner-Baldridge* (in an unpublished opinion, the Fort Worth Court of Appeals affirmed a trial court judgment entered following a successful jury trial in Wise County involving a mineral title dispute); *Young v. Amoco Production Company*, 610 F. Supp. 1479 (E.D. Tex. 1985), aff'd 786 F.2d 1161 (5th Cir. 1986) (successful defense of mineral title in federal court in Tyler concerning producing property in East Texas); *The Herd Corporation, et al v. Triple J Investments, Inc.* (in an unpublished opinion, the Houston

Fourteenth Court of Appeals affirmed a judgment in favor of Triple J Investments entered after a jury trial in Burleson County concerning the operation of a salt water disposal well). Rodney has successfully represented both rural and urban landowners on numerous occasions in traditional eminent domain proceedings, as well as inverse condemnation matters.

FRANCHISE/DISTRIBUTOR LITIGATION

Rodney has successfully defended numerous lawsuits throughout Texas brought against franchisors and distributors in various industries. Representative clients include John Deere Company, Ford Motor Company, and Coors Brewing Company (now Molson Coors Brewing Company). By way of example, see *Dennis Nauslar, et al. v. Coors Brewing Co., et al.*, 170 S.W.3d 242 (Tex. App. — Dallas 2005, no pet.) (affirmance by Dallas Court of Appeals of trial court's summary dismissal of case brought under the Texas Beer Industry Fair Dealing Law).

PUBLISHER REPRESENTATION

Rodney has successfully defended publisher defendants in litigation ranging from an antitrust lawsuit brought under the Robinson-Patman Act to more routine breach of contract claims.

Areas of Focus

Industries

- Health Care

Services

- Litigation and Disputes
- Products Liability and Personal Injury Defense
- Health Care
- Energy (Oil and Gas)

Education

- University of Texas at Austin School of Law, J.D., 1980, with honors
 - Order of the Coif
- Baylor University, B.A., 1977, summa cum laude
 - Phi Beta Kappa

Admissions

- Texas, 1981

- Supreme Court Texas
- U.S. District Court Northern District Texas
- U.S. District Court Eastern District Texas
- U.S. District Court Southern District Texas
- U.S. District Court Western District Texas
- U.S. Court of Appeals Fifth Circuit

Leadership

- Board of Directors, Mental Health Association of Greater Dallas, Member
- Texas Bar Foundation, Fellow
- Dallas Bar Foundation, Fellow
- Texas Health Lawyers Association
- Mental Health Association of Greater Dallas, Board of Directors

Recognition

- Lawdragon 500, Leading Litigators in America, Product Liability, Class Action, 2023-2024
- Named to the Texas Super Lawyers list, as published in *Texas Monthly* magazine, 2022-2023
- Martindale-Hubbell AV Preeminent® Rating



Speeches/Publications

- Co-Author, *Doing Business With Health Care Providers*, Carrington Coleman Capital Newsletter (Spring 2013).
- Co-Author, *Nursing Peer Review* (2011).
- Co-Author, *The Peer Review and Self-Evaluation Privileges and Immunities – Has The Pendulum Swung Too Far?*, The Sedona Conference Journal, Vol. 3 (2002).
- *Physician Credentialing Presents Unique Challenge*, Texas Healthcare Metroplex, Vol. 2, Issue 7 (2000).
- Co Author, *Medical Malpractice and Physician Credentialing For General Practitioners* (1998).

Outside of Work

Outside of the office, Rodney remains actively involved in mental health issues by addressing the needs of the homeless and providing pro bono legal services to the poor. He enjoys traveling, running, working out, and spending time with family and friends — and he's particularly pleased that his five young grandchildren seem equally fond of spending time with him.