



Stephen P. Allison

Member

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Areas of Practice

- Litigation/Trial Practice
- Business Litigation
- Government Relations and Public Law
- Healthcare
- Mediations, Arbitrations, Peer Review
- Real Estate Litigation

Education

- J.D., University of Houston Law Center, 1972
- B.A., Texas Christian University, 1969

Bar Admissions

- Texas

Court Admissions

- United States Supreme Court
- U.S. Court of Appeals for the Fifth Circuit
- 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 Eastern District of Texas
- U.S. District Court for the Western District of Texas

Steve Allison has over 45 years of trial experience, initially as an assistant district attorney and, for more than 40 years, in a broad range of business, government, healthcare, and real estate. Representative clients include individuals, partnerships, corporations, financial institutions, physicians, engineers and other professionals, healthcare facilities and related healthcare entities and providers, and real estate interests. He has tried scores of cases in state and federal courts and argued cases before the Texas Supreme Court and the Fifth Circuit Court of Appeals. He is a trained mediator, arbitrator and peer review hearings officer, and has also served as court-appointed monitor.

He is AV Preeminent Peer Review Rated by Martindale-Hubbell Law Directory and is listed in *The Best Lawyers in America*® (a BL Rankings, LLC publication) for "Commercial Litigation" and "Bet-the-Company Litigation" in 2017 and 2018, and in "Texas Super Lawyers" (a Thomson Reuters service) for "Business Litigation" from 2003 to 2018.

Steve is very active in civic, political and professional activities and has written and spoken on a number of litigation matters, including "Admitting and Excluding Business and Public Records," "Obtaining and Presenting Evidence on Geographic Markets," "Non-price Predation Under Section 2 of the Sherman Act," "Potential Civil and Criminal Liability of Officers, Directors and Other Insiders," "Document Control and Management in Complex Cases," and "Managing Internal Investigations."

Selected Client Representations

- Representation of healthcare entities, facilities, physicians and other professionals in contractual, compliance, construction, real estate and other operational matters; licensing, credentialing and staff privilege issues; antitrust issues; malpractice; intellectual property issues; managed care; class actions; regulatory matters; agency investigations; and general litigation.
- Representation of individuals, businesses and corporations in matters involving contractual disputes; fiduciary duty issues; proprietary information and trade secrets; fraud claims; tortious interference; antitrust issues; deceptive trade practices; intellectual property issues; extraordinary remedies; internal investigations; risk assessments; and general litigation.

- Representation of financial institutions in matters involving operations; security; customer disputes; lender liability claims; loan matters; account programs; extraordinary remedies; regulatory matters; and general litigation.
- Representation of individuals, businesses and developers in annexation, building, zoning, regulatory and other disputes with governmental bodies and agencies.
- Secured summary judgment and upheld same on appeal on behalf of health care system, children's hospital, physician group and medical staff officers in medical staff privileges case involving antitrust, conspiracy, breach of contract, tortious interference, defamation, intentional infliction of emotional distress, and due process claims by two pediatric neurosurgeons. *Marlin and Gaskill vs. Robertson et al*, 307 S.W.3d 418 (Tex. App. -San Antonio 2009).
- Secured traditional and no evidence summary judgments on behalf of environmental/geotechnical engineering firm after successful *Daubert* challenges to plaintiffs' causation experts and upheld same on appeal in three separate lawsuits involving several hundred residents claiming injuries as a result of alleged exposure to lead contaminated soils excavated during construction of the Alamodome complex. *Martinez et al vs. City of San Antonio et al*, 40 S.W.3d 587 (Tex. App. -San Antonio, 2001).
- Obtained summary judgment and upheld the same on appeal on behalf of large insulation supplier in defense of price discrimination claims under Robinson-Patman Act. *Cool Insulation, Inc. vs. Owens-Corning Fiberglass Corp. and Williams Consolidated*, 68 F. Supp. 2d 763 (W.D. Tex. 1998).
- Obtained summary judgment on behalf of three physician members of hospital medical staff committee and upheld same on appeal in staff privileges antitrust action by physician against hospital and individual members of several medical staff committees.
- Represented hospital entities on antitrust issues and negotiations with FTC, DOJ, and Texas Attorney General concerning potential merger, antitrust and related issues.
- Negotiated favorable resolutions of class action cases against hospital systems for alleged violations of Health & Safety Code provisions regarding patient billing statements.
- Secured favorable settlement for \$1.3 million payment on behalf of East Texas hospital during arbitration concerning breach of contract regarding managed care contract.

- Represented a major motion picture studio in federal court action by individual home video store operators against large video retailer and major motion picture studios for alleged price fixing conspiracy concerning home video operations.
- Local trial counsel in successful motion to dismiss and motion for summary judgment upheld on appeal in class action against several related title companies concerning alleged overcharges regarding residential real estate closings in several states. *Murray et al vs. Fidelity National Financial, Inc. et al*, 594 F.3d 419 (5th Cir. 2010).
- Jury verdict and upheld same on appeal in defense of trust against breach of contract/fiduciary duty claims concerning efforts to gain control of primary trust asset, a large South Texas ranch property.
- Represented industrial well owner in overturning injunction on Burford abstention grounds in multi-party action concerning regulations of withdrawal of water from the Edwards Aquifer. *Sierra Club vs. City of San Antonio, et al*, 112 F.3d 789 (5th Cir. 1997).
- Representation of large suburban church in securing favorable consent decree with suburban municipality concerning resolution of zoning issues and development and use of property.
- Successfully defended and secured multi-million dollar jury verdict on cross-claim in fraud and breach of contract jury trial concerning a large commercial real estate transaction.
- Obtained judgment in non-jury trial and upheld same on appeal in action concerning ownership of hotel property.
- Obtained summary judgment and denial of cross-motion in case involving vested rights claims by developer client against city.
- Secured injunction enjoining municipality from preventing construction of housing development by builder/developer.
- Gained a take nothing result and favorable resolution of lease dispute after favorable summary judgment ruling involving substantial quarry operation.
- Represented large nationwide food industry franchisor in securing ruling denying alleged claims and requested sanctions concerning class action regarding franchise requirements.

Selected Honors and Recognitions

- ***The Best Lawyers in America***® (a BL Rankings, LLC publication) (“Commercial Litigation” and “Bet-the Company” Litigation in 2017 and 2018)

- **“Texas Super Lawyers”** (a Thomson Reuters service) (“Business Litigation” from 2003 to 2018)
- **“San Antonio’s Best Lawyers”** (*Scene in SA*) (“Business Litigation” 2017 and 2018)
- **Fellow, Litigation Counsel of America**
- **America’s Top 100 High Stakes Litigators, South Texas** (America’s Top 100, LLC), 2018
- **AV Preeminent peer review rating (Martindale-Hubbell)**

Selected Community Activities

- Member, Board of Trustees, VIA Metropolitan Transit Authority (2010 – 2017) (Vice-Chairman, 2015-2017)
- Member, Steering Committee, “SA Tomorrow Comprehensive Plan” (2016-2017)
- Former President, Board of Trustees, Alamo Heights Independent School District
- Former member, Board of Trustees, Texas Association of School Boards; member, Special Committee on Revenue and Funding
- Former member of Vestry, St. Mark’s Episcopal Church
- Alumni Service Award, Texas Christian University

Memberships

- Life Fellow, Texas Bar Foundation
- Life Fellow, San Antonio Bar Foundation
- Texas Association of Defense Counsel
- Former President and Director, Defense Counsel of San Antonio
- American Health Lawyers Association, Dispute Resolution Panel Member
- American Bar Association
- State Bar of Texas
- San Antonio Bar Association
- Federal Bar Association