

MATTHEW PEPPING



Matt's practice focuses on complex civil litigation matters, with an emphasis on business disputes, insurance coverage, and professional liability. Matt has tried cases in state and federal court.

Matt has extensive experience representing domestic and foreign insurers in complex coverage disputes arising out of directors and officers, management liability, professional liability, pollution liability, commercial general liability, and excess insurance coverage. Matt frequently provides coverage advice to insurers across a wide range of policies. He also advises insurers in connection with claims against their insureds, and he has experience advising clients drafting policy language.

Matt has wide-ranging experience representing individuals and businesses in a variety of disputes, including partnership disputes, contract disputes, construction defect lawsuits, and disputes concerning allegations of misrepresentations and omissions. In addition, Matt represents clients in the financial services industry with respect to an assortment of claims made against their employees or agents and has experience representing reinsurers in arbitrations.

Matt is active in the community. He serves as a board member for several charitable organizations, including Catholic Charities of San Antonio and the Leukemia & Lymphoma Society (South Central Texas Chapter). Matt is also a strong supporter of providing pro bono legal services. Recently, he was counsel to the plaintiffs who successfully challenged Texas' ban on same-sex marriage in *De Leon v. Abbott*.

Matt strives to provide his clients exceptional service and zealous representation. Matt's efforts and skills have been recognized by his peers in his selection as a 2018 Rising Stars honoree by Thomson Reuters.

EDUCATION

- › 2008 – J.D., cum laude, Notre Dame Law School
- › 2005 – B.A., magna cum laude, Political Science and Business Administration, Trinity University

ADMISSIONS

- › Texas State Bar
- › United States District Courts for the Northern, Eastern, Southern and Western Districts of Texas
- › United States Fifth Circuit Court of Appeals
- › United States Eleventh Circuit Court of Appeals

AWARDS AND RECOGNITION

- › Listed in *The Best Lawyers in America*® for Commercial Litigation, 2021
- › Super Lawyers by Thomson Reuters, Texas Rising Star 2018 – 2020
- › Leadership San Antonio, Class 43
- › Rising Star, SA Scene Magazine, 2012 & 2017
- › Leukemia & Lymphoma Society 2017, Man of the Year Runner Up

PROFESSIONAL ASSOCIATIONS

- › San Antonio Bar Association, Litigation Section President (2014 – 2015)
- › San Antonio Bar Foundation Fellow (2019 – present)
- › Texas Bar Foundation Fellow (2019 – present)
- › Trinity University Alumni Association Board (2019-present)
- › Family Violence Prevention Services, Board Member, Executive Committee Member, Secretary of the Board (2010 – 2019)
- › Catholic Charities of San Antonio Advisory Committee (2016 – 2018)
- › Catholic Charities of San Antonio Board of Directors (2018 – present)
- › Leukemia & Lymphoma Society Board of Trustees (South Central Texas Chapter, 2018 – present)
- › Mexican American Bar Association, Board Member (2016 – 17)

SPEAKING ENGAGEMENTS

- › The Tripartite Relationship and the Attorney-Client Privilege: Maintaining Confidentiality While Cooperating with the Insurer;
- › Climate Change: Adaptation Related to Environmental Insurance Risks, Perrin's Environmental Risk & Litigation Conference;
- › Presentation: From the Pollution Exclusion to the Pollution Liability Policy, where he discussed recent developments in the application of the pollution exclusion and its effect on policies issued for pollution liability;
- › Climate Change Poker: What's in the Cards for the Insurance Industry, where he presented on the ways that climate change is and will continue to impact various insurance product lines;
- › Trinity University's Bergner Leadership Symposium, where he spoke on ethical leadership;
- › Keynote speaker at the Thurgood Marshall School of Law's Same-Sex Marriage Symposium, where he discussed same-sex marriage, *De Leon v. Abbott*, and the numerous other challenges to same-sex marriage bans.

REPRESENTATIVE MATTERS

- Representing underwriters of excess policy issued to an energy company in connection with a dispute over coverage for an SEC enforcement action and bankruptcy adversary proceeding in federal court in Dallas.
- Advising domestic insurer with respect to claims for coverage arising out of mortgage company's allegedly wrongful foreclosure practices.
- Advising domestic CGL insurer in coverage dispute with construction-materials manufacturer arising out of dozens of claims against manufacturer for allegedly faulty product.
- Representing underwriters of D&O, PI, and excess policies in numerous suits brought in state and federal courts relating to the failure of Stanford Financial Group. In one notable case brought in federal court in Houston, underwriters obtained a finding that indicted directors and officers had engaged in acts of money laundering, triggering the policy's money laundering exclusion. Numerous other cases remain pending.
- Representing a reinsurer in an arbitration relating to a block of long-term care policies.
- Representing underwriters of a D&O policy issued to bank directors in a declaratory judgment action brought in federal court in Atlanta.
- Advising underwriters of pollution legal liability policies relating to a variety of claims for coverage, including claims for remediation costs and litigation expenses.
- Representing CGL insurer in breach of contract, Stowers, and bad faith action arising out of damaged oil well.
- Representing underwriters of pollution legal liability policy in coverage dispute in state court in Arizona.
- Representing a domestic insurer in an action against a start-up technology firm seeking to rescind a D&O policy and a declaration of non-coverage under the policy's prior knowledge exclusion.
- Advising underwriters with respect to a legal malpractice claim arising out of an attorney's self-dealing in various securities offerings.
- Advising underwriters with respect to legal malpractice claims arising out of tax advice provided to insured law firm's clients.
- Representing underwriters in coverage dispute arising out of legal malpractice claims made against insured law firm's lobbying practice.
- Advising insurer on obligations and best practices following mass shooting at insured's premises.
- Representing underwriters of a D&O policy issued to a healthcare provider in coverage dispute in federal court in Atlanta, Georgia.
- Representing defendant in class action suit brought in state court in Phoenix, Arizona, asserting federal claims based on alleged omissions and misrepresentations relating to the sale of variable annuities for use in qualified plans.
- Defending two major law firm partners in an arbitration arising out of their departure from their former firm.
- Providing coverage advice for claims to D&O policies arising out of investigations by government agencies, including the SEC and Department of Justice.
- Representing a domestic insurer in coverage litigation in Delaware Chancery Court concerning a Side-A D&O policy.
- Advising domestic insurers with respect to lawsuits by former employees and/or their families for catastrophic workplace injuries.
- Advising insurers with respect to policy wording.