



Murry B. Cohen



Key Experience

- Served for more than 19 years on the Court of Appeals for the 1st District of Texas, deciding on both civil and criminal appeals from 14 Texas counties.
- Represents clients in trials and appeals in sectors including energy, health care, financial services and transportation.

Practice

Justice Murry B. Cohen was elected to four terms, from 1982 to 2000, to the Court of Appeals for the 1st District of Texas. In Houston Bar Association polls, Murry was the highest-rated appellate judge in 1997, 1999 and 2001 and highest-rated of 118 incumbent state judges in 1997 and 1999.

Certified in civil appellate law and in criminal law by the Texas Board of Legal Specialization, Murry focuses on appeals in Texas and federal courts and on trial procedure, including dispositive legal motions, jury charges and post-trial motions.

He has represented oil companies, insurance companies, hospitals, nursing homes, publishers, railroads, electric companies and individuals in trials and appeals in cases of breach of contract, libel, personal injury, bad faith insurance practices, injury to real estate, condemnation and alleged criminal conduct. These have included proceedings for injunction, writs of mandamus, writs of prohibition, motions to recuse and objections to the judge's authority to preside.

Murry has prosecuted and defended criminal cases ranging from minor misdemeanors to capital murder and has served as a federal court special master, as a mediator in trial and appellate cases, as an arbitrator for AAA and CPR and as an expert witness on attorney's fees and on legal malpractice.

Murry was named Appellate Judge of the Year in 1994 by the Texas Association of Civil Trial and Appellate Specialists, and in 1997 was recommended by the Texas Democratic Congressional Delegation to

the president for nomination to the U.S. Court of Appeals for the 5th Circuit.

He served as an adjunct professor at the University of Houston Law Center, teaching seminars in appellate procedure and advocacy, and at South Texas College of Law, teaching seminars in appellate practice. He also writes and speaks frequently on litigation-related topics.

Representative Work

- Advised Sky View at Las Palmas in a case disapproving interpretations of Texas law by U.S. Court of Appeals for 5th Circuit and by Texas appellate courts and rendering judgment for settlement credits.
- Represented Texas Mutual Insurance Co. in a matter overruling prior Texas Supreme Court decision and holding that common-law and statutory claims for breach of the duty of good faith and fair dealing may not be asserted against a workers' compensation insurer.
- Assisted a client in a case that reversed a \$2 million breach of fiduciary duty judgment against attorney.
- Advised in a matter that reversed judgment in class action seeking multibillion dollars in damages under the federal Telephone Consumer Protection Act.
- Provided counsel in a matter reversing district court ruling and holding that a citizen's email to school board trustees urging the board not to contract with plaintiff concerned a matter of public importance was not commercial speech, and defendant was protected from suit by the Texas Anti-SLAPP statute.

Speeches

- "Magna Carta- Lessons from 1215- 2014," panel discussion before the St. Thomas More Society of Houston, with Justice Terry Jennings, Judge Charles Spain and David Furlow, First Court of Appeals Courtroom, June 12, 2014.
- "ADR on Appeal," South Texas College of Law, with former Justice David Keltner and former Chief Justice Alice Oliver-Parrott, May 2, 2014, before the Houston Bar Association Section on Alternate Dispute Resolution.
- "Briefing on Appeal," with Justice Terry Jennings, first-year students, University of Houston Law Center, March 31, 2014.
- Judged final round of moot court competition with Justice Evelyn Keyes and former Justice Wanda Fowler. Thurgood Marshall School of Law, Texas Southern University, March 24, 2014.
- "Appellate Advocacy," with Justice Terry Jennings, University of Houston Law Center, 2011-14.
- "Texas Appeals – A Few Tips and a Few Tales," to the Akin Gump Texas Litigation Partners' Meeting, March 10, 2011.
- "Oral Argument," University of Houston Law Center, March 11, 2011.

- "Texas Supreme Court Update," Harris County Judicial Education Conference, August 9, 2010.
- "Chu v. Hong: Formulating a Winning Appeal" (co-presenter), State Bar of Texas Advanced Civil Appellate Practice Course, Practice Before the Texas Supreme Court, April 17, 2009.
- "Preservation of Error in Probate Litigation," presented to Attorneys in Tax and Probate, November 4, 2008.
- "Oral Advocacy in the Trial Court and on Appeal" with Justice Eva Guzman, 5th Circuit Judge Jennifer Elrod and Professor Gerald Treece, South Texas College of Law Advanced Civil Trial Seminar, February 22, 2007.
- "Punitive Damages," State Bar of Texas Advanced Civil Appellate Practice Course, September 9, 2005.
- "Post-Verdict Preservation of Error," State Bar of Texas Advanced Civil Trial Course, November 10, 2004.
- "Preserving Error for Appellate Review and Avoiding Malpractice," Houston Bar Association, November 5, 2004.
- "Daubert in 2004: 10 Topical Approaches to Attacking Expert Testimony," Houston Bar Association Appellate Section, October 20, 2004.
- "Presenting Oral Argument," with Texas Court of Appeals Justices Dori Garza, Ann McClure, Brian Quinn and Bea Ann Smith, State Bar of Texas Advanced Civil Appellate Course, September 9, 2004.

Public Service and Affiliations

- Justice, Court of Appeals for the 1st District of Texas, 1982 to 2000.
- Certified, Texas Board of Legal Specialization, civil appellate law and criminal law.
- Life fellow, Texas Bar Foundation.
- Life fellow, Houston Bar Foundation.

Recognition

- *The Best Lawyers in America*, "Lawyer of the Year," Appellate, Houston region, 2019.
- *The Best Lawyers in America*, Appellate Law, "Bet-the-Company" litigation, commercial litigation, 2006 to 2018.
- *Chambers USA*, Texas Appellate Law, 2006 to 2017.

Education

DEGREES

- J.D., University of Texas School of Law, 1972
- B.A., George Washington University, 1967

Bar Admissions

- Texas

Publications

Is Grand Jury Reform Needed in Texas? *by Murry B. Cohen.*

A Texas Court's Authority to Grant Immunity: When Defendants' Rights Collide with Prosecutorial Power *co-authored by Murry B. Cohen.*

Did We Kill an Innocent Man? *by Murry B. Cohen, Barry Scheck.*

When a Creditors' Committee Dies, Does its Pending Appeal Die Too? *by Murry B. Cohen, J. Stephen Barrick.*

Media Mentions & Press Releases

DEC 21 Akin Gump Obtains Texas Court Ruling on Behalf of Yates Energy Corporation in Case of First Impression

AUG 15 Best Lawyers in America 2019 Recognizes 62 Akin Gump Lawyers

MAR 7 Super Lawyers 2017 Recognizes 120 Akin Gump Lawyers

AUG 15 Sixty-four U.S. Akin Gump Lawyers Selected as Best Lawyers

MAY 30 Chambers USA 2017 Recognizes Akin Gump 79 Lawyers and 34 Practices

DEC 27 NLJ Picks Akin Gump for Ninth Consecutive Appearance on Appellate Hot List

AUG 15 Best Lawyers in America Recognizes 67 Akin Gump Lawyers

MAY 27 Chambers USA 2016 Recognizes Akin Gump Lawyers and Practices
