Jerry K. Clements

Senior Counsel

Austin Dallas

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D 512.305.4723



Jerry leverages more than 35 years of litigation experience to help high-level executives and *Fortune* 500 companies navigate complex commercial disputes. She handles high-stakes cases in the energy, dental and medical supply, manufacturing, and software industries.

OVERVIEW

Jerry assists clients with issues ranging from breaches of joint venture agreements to class action defenses involving defective software and underpayment of gas royalties. Her extensive experience in corporate governance also means she can offer strategic insights, having structured two major law firm mergers during her tenure as chair of the Troutman Pepper Locke predecessor firm Locke Lord.

Jerry's ability to blend deep legal knowledge with a tailored, client-focused approach makes her a go-to attorney for complex commercial litigation matters.

REPRESENTATIVE MATTERS

- Representation of an oil and gas exploration company in a commercial dispute involving the breach of a joint venture agreement for the development of oil and gas prospects in Texas.
- Representation of a large dental and medical supply company in connection with the defense of a purported nationwide class action involving the sale of dental office management software.
- Representation of a large manufacturing company in connection with a failed implementation of ERP software.
- Representation of a large software manufacturer in connection with a purported nationwide class action involving more than 11 million class members who claimed that the software was defective and could result in data loss. This class was eventually decertified, and the claims brought by the plaintiffs were non-suited.
- Representation of a large international oil and gas exploration and development company in connection with various class actions in Texas and Oklahoma involving claims for alleged underpayment of gas royalties.
- Representation of a large insurance company in connection with defending environmental coverage claims relating to more than 25 lead contamination sites throughout the U.S.

Reported Decisions

- *Henry Schein, Inc. v. Stromboe*, 102 S.W. 3d 675, 46 Tex. Sup. CT. J. 103 (Tex., Oct 31, 2002) (NO. 00-1162).

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- *Phillips Petroleum Co. v. Bowden*, 2003 WL 1988581(Tex.App.-Hous. (14 Dist.), May 01, 2003) (NO. 14-02-00634-CV).
- *In re J.D. Edwards World Solutions Co.*, 87 S.W. 3d 546, 46 Tex. Sup. Ct. J. 18 (Tex., Oct 10, 2002) (NO. 01-0630).
- *In re City of San Benito*, 63 S.W. 3d 19 (Tex.App.-Corpus Christi, Aug 31, 2001) (NO. 13-01-172-CV, 13-01-199-CV).
- *GeoChem Tech Corp. v. Verseckes*, 962 S.W. 2d 541, 41Tex. Sup. Ct. J. 441 (Tex., Feb 13, 1998) (NO. 96-1121).
- *U.S. Government v. Marks,* 949 S.W. 2d 320, 40 Tex. Sup.Ct. J. 868 (Tex., Jul 09, 1997) (NO.95-1257) .
- *SnyderGeneral Corp. v. Century Indem. Co*., 113 F. 3 d 536, 45 ERC 1222, 27 Envtl. L. Rep. 21,326 (5th Cir.(Tex), May 19, 1997) (NO. 95-11177).
- *Feldman v. Marks*, 960 S.W. 2d 613, 40 Tex. Sup. Ct. J. 191(Tex., Dec 13, 1996) (NO. 95-1257).
- *SnyderGeneral Corp. v. Century Indem. Co*., 907 F. Supp. 991 (N.D. Tex., Nov 21, 1995) (NO. CIV.A.93-CV-0832-D).
- *Thermex Energy Corp. v. Rantec Corp.*, 766 S.W. 2d 402 (Tex.App.-Dallas, Mar 07, 1989) (NO. 05-88-01339-CV).
- *Railroad Com'n of Texas v. Ennis Transp. Co., Inc*., 695 S.W. 2d 706 (Tex.App.-Austin, Jul 03, 1985).
- *Stokes v. Procunier*, 744 F. 2d 475 (5th Cir.(Tex.), Oct 22,1984) (NO. 83-2481).
- Elliot v. Group Medical & Surgical Service, 714 F. 2d 556, 32 Fair Empl. Prac. Cas. (BNA) 1451, 32 Empl. Prac. Dec. P 33,813 (5th Cir.(Tex.), Sep 16, 1983) (NO. 81-2356, 82-2235).

AWARDS

- *Best Lawyers in America®,* Commercial Litigation (2006-2027)
- *Lawdragon 500 Leading Litigators in America* in Commercial Litigation (2027) and *Lawdragon Hall of Fame* (2027)
- *Super Lawyers*® Texas, Business Litigation (2003-2020)
- 50 Influential Baylor Women You Should Know (2018)
- *Texas Lawyer*, Lifetime Achievement Award (2015)
- Baylor Law Alumni Association, Baylor Lawyer of the Year (2015)
- Southwest Jewish Congress, Flame of Honor Award (2010)
- *Benchmark Litigation,* Local Litigation Star (2010)
- Texas Diversity Council, Texas Most Powerful Women (2010)
- *Chambers USA*, Litigation: General Commercial (2010-2013)
- *Texas Lawyer,* 30 Extraordinary Women in Texas Law (2008)
- *Lawdragon*, 100 Managing Partners You Need to Know (2008)
- *The National Law Journal,* Top 50 Most Influential Women Lawyers in America (2007)
- *Dallas Business Journal,* Top 10 Litigators (2003)
- *Texas Monthly Magazine,* Top 50 Female Trial Lawyers in Texas
- Fellow, Litigation Counsel of America

TOP AREAS OF FOCUS

- Class Action
- Corporate Governance
- Energy
- Insurance + Reinsurance

ALL AREAS OF FOCUS

- Business Litigation
- Class Action
- Corporate Governance
- Energy
- Insurance + Reinsurance
- Litigation + Trial

PROFESSIONAL/COMMUNITY INVOLVEMENT

- Chair, Baylor University Board of Regents (2019-2020)
- Regent, Baylor University Board of Regents (2011-2020)
  - Select Governance Review Task Force (2016-2017)
  - Vice chair, Compliance and Regulatory Oversight (2017-2018)
  - Regent Selection Task Force (2017-2018)
  - Governance, Compensation and Nominating Committee (seven years, vice chair for two years)
  - Audit and Compliance Committee (four years)
  - University Development Committee (three years)
- Fellow, American College of Trial Lawyers
- Member, American Board of Trial Advocates
- Fellow, International Society of Barristers
- Member, American Bar Association
- Member, State Bar of Texas
- Member, Austin Bar Association
- Member, Dallas Bar Association
- Fellow, American Bar Foundation
- Fellow, Texas Bar Foundation
- Fellow, Dallas Bar Foundation
- Member, Business Counsel, Inc., Board of Governors
- Board member and former president, Baylor Law Alumni
- Board member, National Women's Council
- Member, Texas Association of Defense Counsel
- Member, Women's Giving Network of the United Way Capital Area
- Member, Alexis De Tocqueville Society of Austin
- Board member, Texas State Board of Physician Assistant Examiners (1997-2000)

EDUCATION AND CERTIFICATIONS

EDUCATION

- Baylor University School of Law, J.D., *cum laude*, 1981, editor-in-chief, *Baylor Law Review*
- Texas Christian University, B.S., *magna cum laude*, 1975, Phi Beta Kappa

BAR ADMISSIONS

- Texas