

D I A N A B R O W N
Sam Houston State University
College of Business Administration



EDUCATION

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|---|----------------|
| South Texas College of Law, December 2002 J.D., <i>Summa Cum Laude</i> , Valedictorian | Houston, Texas |
| Rice University, December 1996 B.A. in Managerial Studies | Houston, Texas |

HONORS, LICENSES & ADMISSIONS

Editor-In Chief, *Southern Law Journal*
Editorial Board, *Midwest Law Journal*
South Texas Law Review Member
Order of Lytae
Licensed Mediator
State Bar of Texas Member
Admitted in Southern and Eastern Districts of Texas
“Practitioner Contributor” - 9th edition of BLACK'S LAW DICTIONARY

EMPLOYMENT HISTORY

Sam Houston State University, Huntsville, Texas

Assistant Professor, September 2014 to present

- Teach various business law topics to undergraduate students in the College of Business Administration, including: Business Legal Environment, Business Law, Human Resources Law, International Business Law, Negotiation in Business, Managerial Law and Real Estate Law
- Design new business law courses including: Cyber Law and E-commerce Regulation, and Advertising and Marketing Law
- Research business law topics, with a focus on emerging issues in insurance law, international litigation and alternative dispute resolution

Law Office of Diana Brown, P.L.L.C., Houston, Texas

Managing Member, June 2011 to 2014

- Litigated disputes arising from complex commercial transactions, consumer transactions and contracts
- Defended real estate agents and mortgage companies against claims of professional malfeasance
- Litigated contractual disputes on behalf of small business, including enforcement of non-compete agreements and confidentiality agreements, conflicts involving compensation, dissolution issues and debt collection
- Mediated disputes between litigants

EMPLOYMENT HISTORY CONTINUED

Thompson, Coe, Cousins & Irons L.L.P., Houston, Texas

Senior Associate, June 2007 to April 2011

- Litigated disputes arising from complex commercial transactions, consumer transactions and contracts
- Defended general contractors, subcontractors and material suppliers in construction accident and construction defect litigation
- Evaluated claims and prepared coverage opinions relating to various lines of insurance, including commercial general liability, professional liability, directors' and officers' liability, builders' risk, errors and omissions, inland marine, excess, umbrella and commercial auto
- Defended insurance carriers from bad faith claims in state and federal court
- Handled multi-jurisdictional insurance coverage litigation and multi-party subrogation claims
- Drafted declaratory judgment actions, various dispositive motions (including motions for summary judgment and motions to dismiss), extensive discovery, and mediation briefs
- Advised adjusters on claims handling procedures, coverage issues and best practices

Westmoreland Hall, P.C., Houston, Texas

Associate, May 2003 to January 2007

- Practiced in the area of insurance coverage and litigation, with emphasis on marine and energy casualty claims, including onshore and offshore blowouts, refinery explosions and shut-in pipelines, with accompanying business interruption and loss of production income claims and complex indemnity issues
- Analyzed and drafted opinions on energy-related contracts including daywork, turnkey and footage drilling contracts, master service agreements, joint operating agreements, offshore construction, transportation and installation contracts, oil and gas leases, and royalty agreements
- Defended maritime employers against claims arising under the Jones Act and the LHWCA
- Litigated maritime collision and allision cases
- Evaluated claims and prepared coverage opinions relating to various lines of insurance, including energy exploration and development (EED) packages, marine packages, commercial general liability, pollution liability, professional liability, offshore and onshore property, offshore and onshore construction, and business interruption/loss of production income, professional liability, directors' and officers' liability, builders' risk, political risk and excess lines
- Drafted trial and mediation briefs, declaratory judgment actions, dispositive motions, extensive discovery, and appellate briefs in cases involving coverage issues, business torts, products liability, general commercial litigation, and admiralty/maritime claims
- Investigated causation and liability in oil and gas-related incidents including aboveground and underground blowouts, equipment failures/defects on land rigs, drillships, offshore platforms, lifting and launching barges, pipeline systems, power generation facilities, large industrial transformers, underground salt dome natural gas storage caverns, and thrusters on semi-submersible mobile offshore drilling units

EMPLOYMENT HISTORY CONTINUED

(continued) Westmoreland Hall, P.C., Houston, Texas

- Represented domestic and London insurance market insurers in over \$500 million in claims resulting from damages caused to offshore facilities and equipment by Hurricanes Katrina and Rita
- Complemented by Judge Samuel Kent, *Abt v. Dickson Equipment Co., Inc.*, 2006 WL 1751897, at *5 (S.D. Tex., 2006)
- Authored “The Future of Implied Contract/ Tort Indemnity in Maritime Law,” The University of Texas 12th Annual Admiralty and Maritime Law Conference, September, 2003

American General Investment Management, Houston, Texas

Corporate Fixed Income Trading, November 1999 to August 2001

- Monitored compliance of more than six billion dollars of high yield Collateralized Bond Obligation assets (“CBOs”) with Indenture and Offering Memoranda covenants regarding trading activity and portfolio holdings in addition to investment restrictions and guidelines applicable to AGIM’s client accounts, principal accounts, and mutual funds
- Interfaced with underwriters, rating agencies, equity holders and trustees of CBOs during all phases of development (including marketing, funding, closing, and distributions)
- Assisted in research and analysis of credit and market data components and modeling of portfolio cash flows for the portfolio management staff
- Ensured all trades were completed accurately and timely with regard to settlement, allocation and portfolio compliance issues
- Developed Sub-Advisors Compliance Policies and Procedures Manual including cross-discipline review of advisory relationship issues (*e.g.*, accounting, trading and regulatory compliance)

AIM Management, Houston, Texas

Portfolio Administrator, 10/98 – 11/99

- Processed, verified and settled all trades and resolved all trading/settlement issues
- Maintained all transactions in mutual fund accounting and trading systems
- Prepared performance and compliance reports
- Maintained and audited various research databases (*i.e.* Federal Reserve downloads, Morningstar, Ibbotson, Lipper Analytical Hypothetical System, in-house statistics files)

EMPLOYMENT HISTORY CONTINUED

(continued) AIM Management, Houston, Texas

Registered Financial Representative, 03/96 – 10/98

- Answered inquiries from internal and external clients regarding retirement plans (including IRAs, SAR-SEP IRAs, SEP IRAs, SIMPLE IRAs, Roth IRAs, 403(b)(7) and 401(k) plans), mutual fund operations, tax reporting, portfolio data, and S.E.C. regulations
- Processed financial transactions in transfer agent terminal (including redemptions, subscriptions, exchanges)
- Served as marketing liaison, mentor and member of interviewing team
- NASD Series 6 license holder

PUBLICATIONS

- *Pre-Suit Discovery in Complex Business Litigation*, Review of Business Research, 2019
- *Has Comparative Fault Swallowed Ryan? The Future of Implied Contract/ Tort Indemnity in Maritime Law*, 2019
- *An Examination of Insurance Coverage for Hydraulic Fracking Operations*, International Journal of Business and Public Administration, 2019
- *Is Too Much Insurance a Bad Thing? A Survey of Courts' Varying Interpretations of Other Insurance Clauses*, Journal of Business and Accounting, 2018
- *Chick-fil-A Goes International*, The Journal of American Academy of Business, Cambridge, 2018
- *Contractual Liability Coverage: Stepping Into The Unknown*, International Journal of Business and Public Administration, 2018
- *Am I Required To Disclose This? An Examination Of A Litigant's Duty To Produce An Expert's Previous Reports And Transcripts In Federal Litigation*, Global Journal of Business Disciplines, 2018
- *An Employer's Guide To Investigating A Catastrophic Accident In The Workplace*, Journal of Academy of Business and Economics, 2017
- *One Should Never Assume: The Limitations of Recovering Attorney's Fees in Texas*, Journal of American Academy of Business, Cambridge, 2017
- *Statistical Extrapolation in Complex Litigation: Science or Guesswork?*, Southern Journal of Business and Ethics, 2016
- *Avoiding Imputed Disqualification*, Southern Journal of Business and Ethics, 2016
- *Attorney Misconduct and the Role of the Grievance Process in Civil Proceedings Arising from the Same Facts*, Southern Journal of Business and Ethics, 2016
- *I See What You Did There – The Use of Social Networks to Gather Evidence*, Southern Law Journal, 2014
- *Wait, You Can't Shred That! Issues of Spoliation of Evidence*, Mustang Journal of Business and Ethics, 2014
- *FLSA and the Minimum Wage: Employee Friend or Foe*, Journal of Legal, Ethical and Regulatory Issues, 2012

- *The Effect of A Policyholder's Bankruptcy On Its Insurance Coverage: Case Studies*, Southern Law Journal, 2011
- *Catastrophic Workplace Claims*, Texas Insurance and Tort Law Update, Thompson Coe Cousins & Irons LLC, 2010
- *Does A Policyholder's Bankruptcy Impact Its Insurance Coverage?*, University Of Texas School Of Law, 14th Annual Insurance Law Institute, October 2009
- *Update on the Status of Extra-Contractual Litigation*, The Texas Insurance Law Symposium, South Texas College of Law, January 2008
- *Implied Contract/Tort Indemnity in Maritime Law*, The University of Texas 12th Annual Admiralty and Maritime Law Conference, September, 2003