

## Whitney Brieck Associate, Litigation Group

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Whitney Brieck, a native of East Texas, joined the Litigation Group in 2015. Whitney is a successful civil trial and appellate lawyer who has counseled commercial clients in a variety of contexts.

As a litigator, she has favorably resolved cases for clients in the financial, commercial leasing, healthcare, and energy industries, in both state and federal court and in international arbitration. As an appellate lawyer, Whitney is able to efficiently pinpoint key issues on appeal and collaborate with BoyarMiller's other trial lawyers to protect against and preserve the right to appeal trial court error.

Prior to joining the firm, Whitney spent several years litigating a diverse array of commercial business disputes for a mid-size law firm in downtown Houston. She also spent two years at the Fourteenth Court of Appeals in Houston, where she served as a staff attorney for the Honorable Justice Sharon McCally, and a briefing attorney for the Honorable Justice William J. Boyce.

Whitney graduated in 2010 from the University of Texas School of Law in Austin, Texas, where she interned with the Honorable Justice Don R. Willett on the Texas Supreme Court. Whitney also worked with the Family Justice Division of the Travis County District Attorney's Office while in law school, and represented clients in federal immigration court on behalf of the law school's Immigration Clinic. Before attending law school, Whitney worked as litigation support staff for a large, international law firm in downtown Houston.

Whitney received her Bachelor of Arts degree in English and political science from Texas A&M University, and is a proud member of the Fightin' Texas Aggie Class of 2006. She is also a member of the Houston Bar Association Appellate and Litigation Sections, and provides legal representation in pro bono appeals through the State Bar of Texas Appellate Section Pro Bono Committee.



### EDUCATION

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- JD, University of Texas School of Law
- BA, Texas A&M University (cum laude)

### AWARDS & RECOGNITIONS

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- Texas Super Lawyers Rising Star (2017)

### AFFILIATIONS

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- Texas Bar Foundation, Fellow
- Houston Bar Association, Litigation and Appellate Sections member
- Member of Pro Bono College of the State Bar of Texas

### COMMUNITY

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- State Bar of Texas and Houston Bar Association Appellate Sections, Pro Bono Advocate



## RELEVANT REPRESENTATIVE MATTERS

### BUSINESS LITIGATION

- Pursuing claims on behalf of a Houston-based drilling company for breach of fiduciary duty against its former attorney. The attorney overcharged for its services by marking up third-party expenses and misrepresenting the work performed in its billing statements.
- Negotiated disposition of trust funds, and dismissal of all claims asserted in Texas state district court, against out-of-state loan servicing company in connection with dispute over commercial borrower's assignment of consumer loans pledged as collateral for commercial loan transaction.
- Representing innovative litigation finance platform in dispute pending in state district court that arose between attorney borrowers and lender over on-platform transaction, and in multi-million dollar dispute pending in commercial arbitration with lender over collapsed business relationship.
- Represented a global downhole well intervention company in suit filed by drilling company after drilling tools became stuck in well. Drilling company sought damages for recovery expenses, contractual damages and lost revenue based on the allegation that client's tool malfunctioned and caused the incident. Obtained a favorable settlement in which plaintiff dismissed its suit and client paid no damages.
- Obtained summary judgment in bill of review proceeding initiated to vacate default judgment in state district court, which had been rendered without proper service of process on non-resident defendant under the Texas long-arm statute.
- Obtained favorable decision from Texas Supreme Court on behalf of financial institution; petition for review was granted to reinstate a jury verdict denying liability for wrongful payment claim, which had been disregarded by the trial court and intermediate court of appeals.
- Successfully negotiated resolution of complex, multi-million dollar dispute involving production of steel rig kits for use in offshore jack-up drilling rig application as between overseas steel mill, Houston-based steel fabricator, and offshore drilling systems provider in Mississippi.

- Obtained favorable judgment from intermediate court of appeals, which affirmed a summary judgment denying a homeowner's challenge to its mortgagee's entitlement to fire insurance policy proceeds.

### REAL ESTATE LITIGATION

- Obtained summary judgment on all claims asserted by commercial landlord following material breach and termination of commercial real estate lease.