

Andrew J. "Andy" Clark

Senior Counsel

PRACTICE EMPHASIS:

Commercial Litigation, Construction Litigation and Employment

EDUCATION:

J.D., *with honors*, The University of Texas School of Law, 2016
Texas Review of Law and Politics, Managing Editor
Townes-Rice Scholar
B.A., *with distinction*, University of Michigan, 2013

ADMITTED:

State Bar of Texas

COURT ADMISSIONS:

U.S. District Court, Southern and Eastern Districts of Texas



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Profile:

Andy Clark represents clients in a wide range of cases—including construction, commercial, and employment disputes. His construction experience includes representing owners and contractors in disputes involving large industrial facilities, public works, and other construction projects.

His commercial experience includes representing businesses and individual stakeholders in breach of contract, negligence, fraud, fiduciary duty, conversion, antitrust, product liability, and federal statutory actions.

Andy's employment experience includes non-compete and trade secret litigation, wage-and-hour collective actions, employment discrimination claims, and Department of Labor and EEOC investigations. He also routinely assists employers in negotiating agreements, drafting employment policies, investigating internal complaints, and complying with federal and state employment laws.

Prior to joining the firm, Andy practiced labor and employment law in an international law firm based in Houston.

Affiliations:

State Bar of Texas
Houston West Chamber of Commerce
Blackstone Legal Fellowship

Representative Experience:

- Successfully protested award of federal project by regional planning council, resulting in complete rebid of project.
- Obtained take-nothing judgment after final arbitration proceeding involving disability discrimination claim.
- Obtained take-nothing judgment after final arbitration proceeding involving workers' compensation retaliation and malicious prosecution claims.
- Obtained take-nothing summary judgment in federal lawsuit involving race discrimination claim, with Fifth Circuit appeal dismissed.
- Obtained take-nothing summary judgment in state court lawsuit involving suit on sworn account.
- Obtained decertification of wage-and-hour collective action asserted against general contractor.
- Secured permanent injunction by settlement of copyright infringement and Lanham Act case to protect client's trade name, copyrighted material, and trademark.
- Secured voluntary dismissal of Fair Housing Act claim after filing 12(b)(6) motion to dismiss.

Andy Clark

Representative Experience (Cont'd)

- Secured settled dismissal of negligence claim after filing Rule 91(a) motion to dismiss.
- Obtained temporary injunctive relief in Texas state court to keep corporate assets from being dissipated.
- Obtained temporary injunctive relief in non-competition, misappropriation, and conversion actions in Texas state court.
- Counseled construction companies, local fire departments, and other employers through various personnel issues and internal investigations.
- Submitted amicus briefs to Texas Court of Appeals and Texas Supreme Court regarding sovereign immunity and local paid sick leave ordinances.
- Obtained Public Information Act relief from Texas Attorney General's office.

Speeches and Publications:

"Andrews Myers Files Amicus Brief on Behalf of Associated Builders and Contractors of Texas, Associated General Contractors-Texas Building Branch and Texas Construction Association in Texas' Third Court of Appeals on Austin's Paid Sick Leave Ordinance," AM Special Law Alert, September 5, 2018