



## Andrew Hutton

### PARTNER

Austin

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### RELATED SERVICES

- Pharmaceutical & Medical Device
- Appellate
- Construction
- Retail & Hospitality
- Product Liability
- Commercial Litigation
- Professional Liability Defense

### OFFICES

- Austin

### OVERVIEW

Andrew Hutton is a Partner in the Austin office of GRSM and is a member of the Pharmaceutical & Medical Device, Product Liability, Appellate, Commercial Litigation, and Construction practice groups.

Andrew has developed a broad practice representing clients in complex civil and appellate litigation pending in state and federal courts throughout Texas and around the country. He has extensive experience in a wide variety of litigation matters, including business and commercial disputes, product liability, health care liability, premises defect, construction defect, toxic tort and personal injury cases. In 2011, 2012 and 2013, Thompson Reuters named Andrew a “Rising Star” in *Texas Super Lawyers® Magazine*, a distinction given to less than 2.5% of the lawyers in Texas.

Prior to entering private practice, Andrew served as an Assistant Attorney General for the State of Texas

and as an Assistant Criminal District Attorney in Tarrant County, Texas. He also served as a Briefing Attorney for the Texas Court of Criminal Appeals and as a Legal Intern for the U.S. District Court for the Northern District of Texas.

Andrew received his J.D. in 1999 from Duke University School of Law in Durham, North Carolina, where he graduated *magna cum laude*. While at Duke, he also served as a Volunteer Community Educator for the Rape Crisis Center of Durham and was active in the school's Death Penalty Clinic and Criminal Litigation Clinic.

Andrew also holds a Bachelor of Arts degree from Tulane University, where he achieved Dean's List honors and graduated *cum laude* in 1995.

## REPRESENTATIVE EXPERIENCE

- Core member of national teams defending pharmaceutical companies in multiple mass tort litigations, including litigations involving diet drugs, cox-2 inhibitors, medication to treat gastroesophageal reflux disease, hormone replacement therapy drugs, and acne medication;
- Coordinated national team in removal to federal court of state court-filed pharmaceutical cases where plaintiffs had fraudulently joined forum defendants in effort to defeat diversity jurisdiction;
- Successfully litigated at the trial and appellate-court level the sufficiency of a certificate of merit in lawsuit alleging engineering defects in a canopy structure at Austin Bergstrom International Airport, culminating in the appellate court's published opinion in *Prouty v. Jaster-Quintanilla & Assoc.*, 549 S.W.3d 183 (Tex. App.–Austin 2018, no pet.);
- Obtained summary judgment on behalf of a cosmetics manufacturer in a lawsuit alleging personal injuries arising from the use of the manufacturer's hair dye. See *Johnson v. L'Oreal USA S/D, Inc.*, No. MO-19-CV-00155-DC, 2021 WL 2419455 (W.D. Tex. Mar. 16, 2021);
- Successfully defended a pharmaceutical company at the trial and appellate-court level against prescribing physician's statutory indemnity claims;
- Successfully obtained dismissal of a stucco contractor in construction defect case involving 26 townhome buildings;
- Successfully defended and mediated construction defect case on behalf of framing subcontractors in lawsuit alleging defects in a 72-building condominium project;
- Successfully defended a plumbing contractor against personal injury claims arising from a water-heater explosion;
- Successfully obtained dismissal of corporate defendant in a breach-of-contract and fraud lawsuit alleging improper appropriation of an energy technology;
- Obtained successful settlement on behalf of electrical transmission company of claims involving defects in a vendor's transmission line structures;

- Successfully represented an electric utility against allegations that its high-voltage alternating current had caused interference with a gas pipeline company's cathodic protection systems;
- Successfully defended a Fortune 500 cosmetics manufacturer against product defect allegations involving a perfume;
- Obtained successful settlement of a construction defect lawsuit on behalf of a homeowners association in lawsuit involving a 32-unit condominium complex;
- Successfully obtained dismissal of German corporation from employment lawsuit on personal jurisdiction grounds;
- Successfully litigated motion to transfer venue from a Texas federal court to a Colorado federal court in a product liability lawsuit.

## CREDENTIALS

### Admissions

- Texas
- U.S. Supreme Court
- U.S. Court of Appeals, Fifth Circuit
- U.S. District Court, Northern, Southern, Eastern, and Western Districts of Texas

### Community Involvement

- Chair and Member, Bond Advisory Committee, Dripping Springs Independent School District
- Fellow, Texas Bar Foundation
- Community Ambassador, Dripping Springs Independent School District
- Ruling Elder, Dripping Springs Presbyterian Church
- Long Range Facilities Planning Committee, Dripping Springs Independent School District
- Bond Steering Committee, Dripping Springs Independent School District
- Gifted & Talented Advisory Committee, Dripping Springs Independent School District
- Co-Chair, Friends of Dripping Springs Education

### Education

- J.D., *magna cum laude*, Duke University School of Law, 1999
  - Criminal Litigation Clinic
  - Death Penalty Clinic
  - Rape Crisis Center of Durham, Volunteer Community Educator
  - Duke Law Drama Society

- B.A., *cum laude*, English and Theater, Tulane University, 1995
  - Tulane Theater
  - Randall Lee Gibson Honor Society
  - Dean's List

#### **Honors**

- *Texas Rising Stars*® distinction in the field of Personal Injury Defense: Products (2011, 2012, & 2013)
- "Courage Award", Austin LGBT Bar Association (2017)