



## Katharine D. David

### OFFICE MANAGING PARTNER

HOUSTON, TX

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### OVERVIEW

Kate is a highly regarded public law litigator with extensive experience representing government entities, public officials and private companies.

Clients trust her counsel in condemnation, public contracting, constitutional tort disputes and election law disputes. As a Houston public law attorney, other areas Kate focuses on include sovereign, governmental, prosecutorial and qualified immunity issues.

Serving as primary outside counsel or special counsel, Kate advises government clients in matters relating to the Open Meetings Act, the Texas Public Information Act, contract negotiation and litigation avoidance. She is known as a persuasive advocate at both the trial and appellate levels.

Kate served as a rules clerk for the U.S. District Court, Southern District of Texas, and worked with the Standing Committee on Rules of Practice and Procedure, experience that helps her examine clients' matters from the judicial perspective.

### Industry

Real Estate, Development, & Construction

### Services

Appellate

Arena & Stadium Development

Campaign Finance, Political Ethics, & Election Law

Commercial Litigation

Construction Litigation

Land Use

Levee & Flood Protection

Litigation & Alternative Dispute Resolution

Public Law

Public Policy, Regulatory, & Government Affairs

State & Local Taxation (SaLT)

State Attorneys General Practice

White Collar, Internal Investigations, & Compliance

## Case Study

### Harris County Sports & Convention Corporation

Our team negotiated a historic energy savings performance contract that will help Harris County in their efforts to dramatically reduce greenhouse gas emissions.

## Experience

- In suit alleging Section 1983 claims for wrongful death, obtained 12(b)(6) dismissal of deliberate indifference and excessive force claims against four individual Montgomery County Sheriff deputies.
- In what a Texas federal judge called "a first of its kind" four-day virtual evidentiary hearing, obtained denial of temporary restraining order and preliminary injunction, alleging Section 1983 and writ of habeas corpus claims against Dallas County Sheriff by class of jail inmates seeking release due to alleged susceptibility to COVID-19.
- Represented large Texas county in condemnation of manufacturing facility and adjacent buildings for toll road expansion. Defeated mandamus proceedings and secured a settlement for about \$2 million over condemnor's appraisal, less than half of landowner's contended value.
- Defeated landowner's right-to-take summary judgment and obtained favorable settlement for large Texas county.
- Represented large Texas county in condemnation of parcel for road construction. Successfully defended against right to take challenge and secured jury verdict for a fraction of landowner's appraisal.
- Secured favorable settlement in condemnation for toll road expansion.

## Experience

- Represented toll road authority in condemnation of property for expansion and construction of large toll road. After special commissioners issued award in amount of toll road authority's appraisal, obtained settlement of even less than special commissioners' award.
- Represented toll road authority in condemnation of parcel required for large toll road project, and successfully negotiated favorable settlement with landowner, as well as easement holders claiming loss of access and compensation for improvements.
- In condemnation of shopping center, cured pleading deficiencies in case as pled by community college's original attorneys and put college on track to obtain favorable settlements.
- Represent regional water system to acquire property for water supply infrastructure.
- Obtained judgment that state lacked right to take a portion of a property being condemned, resulting in payment of millions of dollars over the state's initial offer.
- Obtained rehearing in Texas Supreme Court, limiting scope of original opinion on issue of first impression relating to pipeline companies' right to take.
- Successfully convinced state to allow extraordinarily wide curb cut to facilitate client's heavy truck ingress and egress.
- Represented real estate investment trust in negotiating favorable terms on multiple pipeline easements.
- Represented fast food chain in negotiating favorable terms for sign relocation.
- Convinced Special Commissioners to award oil and gas company over five times the amount of utility company's appraisal.
- Convinced Special Commissioners to award engineering firm over four times the amount offered by the state.
- Obtained settlement entitling fast food chain to entire award for demolition of restaurant and favorable terms with tenant whereby tenant would rebuild the restaurant.

## Experience

- Represented regional water system as land acquisition counsel, including advising on all legal aspects of the project, working with stakeholders on site selection, negotiation of easements, crossing agreements, and the purchase of real property in fee simple.
- Represented governmental entities in special commissioner hearings and eminent domain litigation, including evaluating case value, reviewing land appraisals, interviewing and examining expert witnesses, and conducting hearings.

## Recognition

- *The Legal 500 United States*
  - Real estate: Land use/zoning, Recommended lawyer, 2024 and 2025
- International Municipal Lawyers Association, IMLA Amicus Service Award, 2024
- Texas Diversity Council, Top Women Lawyers, 2021
- *Benchmark Litigation*, 40 & Under Hot List, 2019
- Commission of the Yellow Rose of Texas
- National Diversity Council, Top 50 Women Lawyers, 2019
- *Texas Monthly*, Top Women Attorneys in Texas, 2020
- Thomson Reuters' *Texas Super Lawyers*, Rising Star, Appellate, 2009-2010; State/Local Municipalities, 2012-2013; Eminent Domain, 2014-2019

## Education

- J.D., University of Texas School of Law
  - with honors
- B.B.A., University of Texas at Austin

## Admissions

- Texas
- U.S. District Court, Northern District of Texas
- U.S. District Court, Southern District of Texas
- U.S. Court of Appeals, Fifth Circuit

## Community Leadership

- Greater Houston Partnership, Quality of Life Committee, 2011-2013; Government Relations Advisory Committee, 2014-2018; Infrastructure Committee, 2018–present
- West University Little League Auxiliary, 2016-
- United Way of Greater Houston, Young Leader Council, 2010-2013



The Legal 500 United States.