



Christina C. Huston

Of Counsel

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Christina Huston is an experienced trial attorney with emphasis in Health Law, including specialty knowledge of behavioral health and substance use disorder (SUD) acute and post-acute inpatient and outpatient facilities and treatment. Christina has tried cases to jury verdicts in rural and urban venues, including those recognized among the most dangerous in the country for defendants.

In addition, Christina has a particular interest in Enterprise Risk Management and the modification and enhancement of policies, facilities, and operations to reduce risk and streamline future risk management operations, comply with state and federal requirements, and ensure the health and safety of patients and employees.

Christina represents physicians, practice groups, colleges of medicine, hospitals, surgery centers, behavioral health units and hospitals, urgent care and standalone emergency room facilities, and substance use disorder acute detox inpatient and outpatient facilities across the nation, from day-of-event reporting through trial and including post-verdict and interlocutory appeals, in the practice areas alleging provider negligence, premises liability, sexual and physical assault, employment matters, breach of contract and indemnity demands.

Business Analysis & Defense

Christina has specialized knowledge in application of the requirements of the Eliminating Kickbacks in Recovery Act (EKRA) and 42 CFR Part 2, HIPAA and Stark and Anti-Kickback statutes. She has defended multimillion-dollar lawsuits to trial verdict, summary judgment, post-judgment appeal, or favorable settlement in every specialty of medical practice and hospital and medical facility premises liability. With the extensive resources of an international law firm with more than 40 established U.S. offices with local counsel, she has represented facilities across the nation in immediate investigation of serious events, procurement and protection of evidence, ensuring maximum potential protections of root-

Services

- Health Care Law
- Medical Malpractice & Health Care
- Employment & Labor
- Professional Liability & Services

cause analysis and critical incident review, peer review and quality of care privileges.

Operations Liability

Christina has represented medical professionals before their respective licensure boards and has provided assistance in regulatory health law issues. Christina is a valuable resource in policy and procedure authorship, drafting employee policies and procedures and application practices, including the additional requirements necessary for practitioners of behavioral health medicine, end-of-life and ethics proceedings and policies and procedures regarding same, as well as, disciplinary documentation, performance improvement plans, reductions in force and terminations for cause, required reporting to licensure boards, and claims of discrimination, retaliation, and of whistleblowers and union grievances and arbitration. She has presented to facility personnel several times regarding protecting providers from litigation, proper documentation, patient confidentiality, preservation of evidence, and understanding privileges.

Education

- University of Houston Law Center (LL.M. Health Law, 2013)
- University of Houston Law Center (J.D., 2007)
 - Notes & Comments Editor, Business & Tax Law Journal
- University of Houston (B.A., *summa cum laude*, 2004)
 - Phi Kappa Phi

Bar Admissions

- Texas

Court Admissions

- U.S. District Court, Southern District of Texas
- U.S. District Court, Eastern District of Texas

Professional Affiliations

- American Health Law Association
- American Society for Healthcare Risk Management
- Greater Houston Society for Healthcare Risk Management
- South Texas Society for Healthcare Risk Managers
- Texas Bar Foundation Fellow
- Houston Bar Association, Health Law Section; Health Law Council, 2019
- State Bar of Texas, Health Law Section

Awards & Honors

- Selected for inclusion in *The Best Lawyers in America*®, 2025-2026

- Selected for inclusion in *The Best Lawyers in America® Women in Law*, 2025
- American Society for Healthcare Risk Management (ASHRM) Certificate, Enterprise Risk Management
- Houston Association of Women Attorneys, Tiffany Star Recipient, 2011; Judicial Reception Committee, Chair 2010–2013

Representative Matters

Defense verdict (11-1 within two hours of closing) in case alleging spine surgeon failed to properly decompress the spinal cord in two separate surgeries. McLennan County, Texas.

Defense verdict (11-1 within one hour of closing) for spine surgeon against allegations of unnecessary 360° spinal fusion based on “voodoo diagnostics” with subsequent failed fusion. Jefferson County, Texas

Granted a reversal and defense judgment after oral argument before the 14th Court of Appeals of \$3M plaintiff’s verdict against Hospital defendant in premises liability litigation; upheld by the Texas Supreme Court, 2024.

Defense verdict for Hospital defendant in case alleging neurological injury causing foot drop due to failure to properly position a laboring mother. Harris County, Texas.

Defense verdict for Hospital defendant in case alleging catastrophic Wernicke’s encephalopathy due to failure to diagnose thiamine deficiency. Nacogdoches County, Texas.

Defense verdict for Hospital defendant in case alleging injury to bladder due to improper handling of artificial urinary sphincter. Angelina County, Texas.

Defended case to plaintiff’s verdict with minimal damages awarded in case alleging post-operative knee infection requiring removal and total knee replacement. Jefferson County, Texas.

Defended case to plaintiff’s verdict with zero damages awarded in case alleging hit and run by Hospital linen truck. El Paso County, Texas.

Summary judgment granted on the merits in case alleging insurance agent malpractice. Harris County, Texas.

Summary judgment (#2) granted on the merits in case alleging insurance agent malpractice. Harris County, Texas.

Summary judgment granted on failure to establish a physician-patient relationship in case alleging inappropriate cone biopsy causing subsequent preterm delivery and injury to

triplets. Harris County, Texas.

Summary Judgment granted on insufficient notice under Chapter 74 failed to toll statute of limitations in medical negligence claim. Harris County, Texas.

Summary judgment granted on derivative claims of spouse in case alleging fetal demise due to failure to diagnose/stop pre-term labor. Harris County, Texas.

Dismissal order entered in case alleging spinal surgery negligence during bilateral decompressive lumbar laminectomy and posterolateral fusion, including defense of the appeal and dismissal upheld by the First Court of Appeals. Harris County, Texas.

Dismissal order entered in case alleging medical battery, including defense of the appeal and dismissal upheld by the Ninth Court of Appeals; Petition denied by the Texas Supreme Court. Jefferson County, Texas.

Dismissal order entered for failure to serve sufficient expert report under Chapter 74 in case alleging medical negligence during total knee replacement. Harris County, Texas.

Dismissal order entered for failure to serve any expert report pursuant to Chapter 74 in case alleging medical negligence. Harris County, Texas.

Dismissal order entered for failure to serve sufficient expert report pursuant to Chapter 74 in case alleging medical negligence in the misdiagnosis of Crohn's and subsequent colectomy. Harris County, Texas.

Voluntary dismissal without settlement obtained after party depositions in case alleging post-operative infection after breast augmentation. Harris County, Texas.

Voluntary dismissal without settlement obtained after extensive party depositions in case alleging improper discharge of patient. Jefferson County, Texas.

Voluntary dismissal without settlement after client physician's deposition in case alleging brain injury due to failure to treat hyperemesis gravidarum. Harris County, Texas.

Voluntary dismissal without settlement after extensive discovery in case alleging death due to misdiagnosis of Crohn's Disease and inappropriate prescribing of Remicade. Harris County, Texas.

Voluntary dismissal without settlement after filing of Motion to Dismiss in case alleging failure to diagnose and treat stroke. Harris County, Texas.

Voluntary dismissal without settlement after extensive discovery in case alleging legal malpractice in trust formation. Harris County, Texas.

Client Wins

Huston and Shepperd Win Defense Verdict in High-Exposure Neurosurgery Case

Christina Huston (Of Counsel-Houston) and John Shepperd (Partner-Houston) obtained a defense verdict for a neurosurgeon client in the 170th District Court of McLennan County, Waco, Texas, after a four-day trial.

The plaintiff in this case, a 44-year-old female, underwent an anterior cervical discectomy performed by our client, followed by a posterior cervical laminectomy and fusion after her continued complaints of pain and neurological symptoms. The plaintiff later experienced significant deterioration, including impaired mobility and bowel and bladder issues, and ultimately sought care from a subsequent neurosurgeon who performed a two-level corpectomy. The plaintiff alleged that our client negligently failed to recognize the need for a corpectomy from the outset, asserting claims supported by expert testimony and seeking substantial damages, including a life care plan valued at \$3.8 million, as well as lost earnings and noneconomic damages.

At trial, Christina and John presented evidence and expert testimony establishing that both procedures performed by the client were appropriate and within the standard of care. They further demonstrated that the plaintiff initially improved following the second surgery, but deteriorated weeks later due to a known postoperative complication – an encapsulated fluid collection placing pressure on the spinal cord. Evidence showed this condition, rather than any surgical decision-making, caused the patient's subsequent neurological decline, and was later addressed during the third surgery. The Wilson Elser team also noted that our client did not have access to critical post-operative imaging after the second surgery, which he had ordered before the patient transferred care.

After approximately two hours of deliberation, the jury returned an 11–1 verdict in favor of our client, finding no negligence on the surgeon's part despite the patient suffering poor outcomes after the first two surgeries.

Huston and Shepperd Successfully Defend Spine Surgeon Against Unnecessary Surgery Claim

Christina Huston (Of Counsel-Houston, TX) and John Shepperd (Partner-Houston, TX) obtained a defense verdict after five days of trial. The plaintiff alleged her client spine surgeon performed an unnecessary 360° spinal fusion surgery when the patient presented with hip pain that was secondary to a trochanter bursitis rather than a herniated disc. The plaintiff subsequently suffered a failed fusion. The plaintiff relied on the testimony of a hip surgeon as well as an investigation by her health insurance carrier that concluded this was an unnecessary surgery. The plaintiff also claimed that our client made his decision to operate solely on provoked discography, which the plaintiff described as an antiquated “Voodoo” technology. The client countered by testifying that the insurance claim was denied because it was mistakenly characterized as a two-level fusion for herniated discs. Christina and John agreed that a two-level fusion for herniated discs is inappropriate, but that was not the patient's diagnosis. The patient actually had internal disc disruption at two levels. The disc disruption was demonstrated on a post-discography CT scan that showed extravasation of injected dye outside the disc space. The jury returned an 11-1 verdict for the surgeon in less than an hour.

Huston and Kennedy Prevail For Insurance Clients on Dual Summary Judgment

Motions

Christina Huston (Of Counsel-Houston) and Carol Kennedy (Of Counsel-Houston) obtained summary judgment in the Harris County Court at Law No. 1 for Wilson Elser's client, an insurance agent and broker. The plaintiff brought a suit against its insurer and the local broker/agent, alleging a failure to procure sufficient insurance coverage before the historic winter storm, Uri. The trial court granted Christina and Carol's traditional motion for summary judgment and their no evidence motion for summary judgment, concurring that the plaintiff failed to produce evidence to support one or more elements of the claim and could not recover on the claim as a matter of law, dismissing the case.