



Coleman M. Proctor

Of Counsel

coleman.proctor@wilsonelser.com

Dallas, TX – 214.698.8068

Tyler, TX

Coleman Proctor has spent his career representing a wide range of businesses, institutions, professionals, and high-net worth individuals in complex and diverse litigation. He concentrates his practice on all types of litigation matters, including business, financial, commercial and construction litigation; defending health care providers, including long-term care facilities, hospitals and physicians; and defending against personal injury claims resulting from trucking, transportation, logistics and grocery/retail incidents, as well as other premises and general liability incidents. Coleman has tried cases in state court and before multiple arbitral tribunals.

In addition to his litigation practice, clients have called upon Coleman to advise and assist them with improving their internal policies, procedures and processes; ensuring compliance with rules and regulations; negotiating agreements; and resolving business disputes before they result in litigation.

While in law school, Coleman was twice Moot Court National Champion and awarded the Scribes Brief-Writing Award for third best brief in United States.

Education

- South Texas College of Law (J.D., 2012)
 - magna cum laude; Law Review; Board of Advocates, Chairman; Order of the Barristers; National Order of Scribes; Order of Lytae; Phi Delta Phi Legal Honors Fraternity
- Robert Morris University (B.S./ B.A., 2009)
 - cum laude; Alpha Mu Alpha Honors Society

Services

- Commercial Litigation
- Complex Tort & General Casualty
- Construction
- Medical Malpractice & Health Care
- Transportation

Bar Admissions

- Texas
- New Mexico

Court Admissions

- U.S. District Court, Southern District of Texas
- U.S. District Court, Northern District of Texas
- U.S. District Court, Eastern District of Texas
- U.S. District Court, District of New Mexico

Professional Affiliations

- American Bar Association

Awards & Honors

- Selected for inclusion in Texas *Super Lawyers*® Rising Stars™, 2022-2023

Representative Matters

Represented a residential construction company and its managing partner through an arbitration proceeding involving claims of breach of contract, breach of fiduciary duty, fraud, conversion and statutory claims, after which the clients recovered a multi-six-figure arbitration award against two former partners and their competing company.

Represented a health care industry sales executive through an arbitration proceeding involving claims of breach of contract and fraud, after which the client recovered a multi-six-figure arbitration award.

Represented a large financial institution in state court in Beaumont, Texas, resulting in a hung jury with a majority of jurors voting in favor of the client. The outcome of trial resulted in a favorable settlement on behalf of the client the same day.

Authored the post-verdict and appellate briefs that resulted in the Fifth Circuit Court of Appeals affirming the trial court's judgment allowing an oilfield service client to pierce the corporate veil of a defunct oil & gas company, thereby holding the president personally liable.

Negotiated numerous construction disputes to resolution (both pre-litigation and during litigation) between client, one of the largest dealership groups in the United States, and various contractors.

Obtained dismissal for a commercial construction company that was a major defendant in a lawsuit involving claims for premises liability, breach of contract, breach of warranty,

deceptive trade practices and fraud.

Represented and served as *de facto* general counsel for an oil & gas exploration company in a range of matters, including a commercial dispute in which the client received a multimillion-dollar settlement offer arising from an underpayment of royalties and other commercial wrongdoings; negotiating various exploration, production, and consulting agreements; and resolving an array of business disputes.

Obtained a favorable settlement for a national home-buying and renovation company three days before trial by discrediting the homeowner's expert and damages model in a case where the client renovated the wrong house.

Obtained a dismissal for an oilfield service contractor's driver halfway through trial.