



## Servando Rivas

Associate

[servando.rivas@wilsonelser.com](mailto:servando.rivas@wilsonelser.com)

Houston, TX – 713.353.2073

Servando Rivas represents companies and individuals in state and federal courts in a wide array of commercial litigation matters. His practice focuses on the defense of claims related to trucking and automobile liability, construction, and business litigation.

Prior to joining Wilson Elser, Servando was at a Texas firm, where he managed a litigation docket for Fortune 500 company clients in matters involving premises liability, trucking, automobile liability, insurance coverage, and business litigation. Early in his career, Servando practiced at a first-party insurance defense firm where he primarily represented insurers.

### Education

- Mississippi College School of Law (J.D., 2018)
- Texas A&M University (B.A. Political Science, 2015)
  - Minor in Psychology

### Bar Admissions

- Texas
- Mississippi

### Court Admissions

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

### Services

- Commercial Litigation
- Insurance & Reinsurance Defense

- U.S. District Court, Northern District of Mississippi
- U.S. District Court, Southern District of Mississippi

## **Professional Affiliations**

Austin Young Lawyers Association

## **Languages**

- Spanish

# **Client Wins**

### **Piatkowski & Rivas Defeat \$4.3 Million Demand in Personal Injury Claim**

Kelsi Piatkowski (Of Counsel-Houston, TX) and Servando Rivas (Associate-Houston, TX) scored a huge win on behalf of one of the nation's largest hardware stores and Fortune 500 company. The plaintiffs brought claims against the client arising out of an alleged failure of a garden shopping cart that struck the foot of one of the plaintiffs. Plaintiffs alleged the incident caused plantar fasciitis for which the plaintiff underwent a surgical procedure and sought \$4.3 million in damages. Kelsi and Servando moved for summary judgment on all claims, arguing that the client had no notice of the purported defects and therefore could not be held liable under Texas law. After a month of extensive briefing, the U.S. District Court for the Eastern District of Texas agreed with the client's arguments and dismissed the entire case with prejudice.

### **Domaszek & Rivas Obtain Dismissal of Negligence Claim against Major Global Technology Client**

John Domaszek (Of Counsel-Houston, TX) and Servando Rivas (Associate-Houston, TX) prevailed on a Motion to Dismiss pursuant to Tex. Civ. P. 91a that tossed a plaintiff's claims against one of the firm's major global technology clients. The plaintiff asserted negligence claims against the client and contended that the client implemented a business operation that systematically creates distractions entitling the plaintiff to more than \$1 million in damages for significant injuries arising from an incident. On behalf of the global technology client, we argued that such a claim is not recognized under Texas law, thus the plaintiff was not entitled to relief and the claim must be dismissed. The Travis County District Court agreed and dismissed the plaintiff's claims in their entirety, and ordered that the plaintiff take nothing from our client.

### **Piatkowski & Rivas Obtain Dismissal for Landlord Based on Provisions in the Commercial Lease Agreement**

Kelsi Wade Piatkowski (Of Counsel-Houston, TX) and Servando Rivas (Associate-Houston, TX) prevailed on a motion for summary judgment that tossed the plaintiff's claims against our commercial property landlord client. The plaintiff asserted negligence and premises liability claims and contended that the client's failure to correct a defect on the property entitled him to more than \$1 million in damages for significant injuries arising from an incident on the premises. On behalf of the client, Kelsi and Servando argued that it had no control over the subject property pursuant to several provisions contained in a

commercial lease agreement with a tenant. The Brazoria County District Court agreed and granted the motion for summary judgment in its entirety, dismissing the plaintiff's claims and ordering that he take nothing from our client.

**Piatkowski, Domaszek & Rivas Score Summary Judgment for Major Global Technology Company**

Kelsi Wade Piatkowski (Of Counsel-Houston, TX), assisted by John Domaszek (Of Counsel-Houston, TX) and Servando Rivas (Associate-Houston, TX), secured summary judgment for one of the firm's major global technology clients in a case in which the plaintiffs filed a lawsuit following an automobile accident alleging various claims, including vicarious liability and gross negligence, against our client. The plaintiffs further alleged that the incident resulted in a death of the decedent. The plaintiffs demanded \$1 million to resolve the claims. However, after extensive briefing by both sides and oral arguments, the 127th District Court in Harris County, Texas granted Kelsi's traditional and no-evidence motion for summary judgment, ordering all claims to be dismissed with prejudice and ordering that the plaintiffs take nothing of, from, or against our client.