



Susan Abbott Schwartz

Senior Counsel

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Dallas, TX – 214.698.8035

Tyler, TX

Susan Schwartz handles contract interpretation, particularly in the field of insurance policy analysis. She has defended countless professionals in litigation brought against them and has represented many self-insured companies. Susan's experience in the insurance and real estate industries results in spot-on analysis of liability and exposure and effective resolution strategies. With more than 40 years of experience, her courses on cutting-edge legal issues and ethics are invaluable to clients and colleagues alike.

In the light of significant growth in professional liability litigation, Susan defends lawyers, real estate agents and brokers, and insurance agents and brokers against claims alleging violation of professional or ethical standards. Susan provides direct defense on individual cases in courts, before regulatory bodies, and in arbitrations and mediations. She also handles miscellaneous professional liability insurance and other forms of coverage, bringing in necessary associated services through Wilson Elser's multidisciplinary team structure.

Susan deftly connects with her clients, establishing a rapport and acting on their behalf effectively at negotiations and in the courtroom. No stranger to hard work, and a counselor in every sense of the word, Susan's instincts in case assessment give her clients the information they need to help determine the best course of action, and her record of favorable outcomes speaks for itself. In her practice, Susan draws on her life experience as the daughter of an FBI agent who lived in many parts of the country and later as a woman who traveled with her husband to Romania and Guatemala to bring their children home.

Real Estate E&O

Susan has a breadth of real estate E&O defense experience managing and resolving claims on behalf of large national property management and brokerage firms as well as litigating disputes throughout the United States on behalf of real estate brokers,

Services

- Commercial Litigation
- Complex Tort & General Casualty
- Design Professionals
- Employment & Labor
- Insurance & Reinsurance Coverage
- Insurance & Reinsurance Defense
- Professional Liability & Services

appraisers, title abstractors, home inspectors, insurance brokers, managing agents and broker-dealers. In addition to efficiently managing claims, she assists our real estate professionals in licensing and regulatory matters as well as navigating complex contractual issues, leases and agency agreements; performing due diligence related to acquisitions; helping to ensure fair housing, habitability, and other applicable statutory and/or local code and regulatory compliance.

Insurance Coverage

Susan counsels numerous insurance carriers on all aspects of disputes and related matters, from high-stakes litigation to insurance policy integration to costly and potentially dangerous cases alleging bad faith. She is adept at handling first-party property claims, expertly crafting or interpreting policy language to position her client for the best possible outcome. She has crafted hundreds of coverage opinions, reservation of rights letters and coverage declinations. Susan skillfully interprets detailed coverage policies and helps mitigate the exposures that often accompany them, including providing an independent evaluation as monitoring counsel and litigating complaints for declaratory relief. She effectively uses her talent and tenacity in the courtroom and successfully leverages her advantage as a member of one of the largest trial firms in the country. In addition, Susan has served as coverage counsel in claims where an insured's employee manufactured false tax returns for his employer's clients, resulting in a criminal conviction and losses to the insured's customers.

Professional Liability

Susan defends clients in the face of significant growth in professional liability litigation. She represents lawyers, design professionals, real estate agents and brokers, and insurance agents and brokers against claims alleging violation of professional or ethical standards. Susan provides direct defense on individual cases in courts, before regulatory bodies, and in arbitrations and mediations. She also handles miscellaneous professional liability insurance and other forms of coverage, bringing in necessary associated services through Wilson Elser's multidisciplinary team structure.

Education

- University of Oklahoma College of Law (J.D., 1980)
 - cum laude
- University of Oklahoma (B.A. in Political Science, 1977)
 - summa cum laude, Phi Beta Kappa

Bar Admissions

- Texas

Court Admissions

- Supreme Court of the United States
- U.S. Court of Appeals, Fifth Circuit
- U.S. Court of Appeals, Tenth Circuit

- U.S. Court of Appeals, Eleventh Circuit
- U.S. District Court, Northern District of Texas
- U.S. District Court, Eastern District of Texas
- U.S. District Court, Western District of Texas
- U.S. District Court, Southern District of Texas

Professional Affiliations

- North Texas Arthritis Foundation, Board Member
- DRI, The Voice of the Defense Bar
- Texas Association of Defense Counsel
- Life Fellow, Texas Bar Foundation
- Claims and Litigation Management Alliance

Awards & Honors

- Selected for inclusion in *The Best Lawyers in America®*, 2024-2026
- Selected for inclusion in *The Best Lawyers in America® Women in Law*, 2025
- AV® Preeminent™ Rated by Martindale-Hubbell

Representative Matters

Monitoring counsel in multimillion-dollar employment litigation through trial and appeal.

Evaluation of insured's exposure and available insurance coverage as co-conspirator in \$50 million adverse judgment with evaluation of litigation in multiple state jurisdictions.

Effectively negotiated resolution in pre-tender attorneys' fees in a legal malpractice action arising from SEC securities violations and accompanying receivership.

Negotiated settlement in coverage dispute arising out of limited partnerships suit against general partner.

Litigated claims for policy rescission against attorney who advised general partner to take loans from limited partnership under his control.

Publications

Q2 2025

By Any Other Name: Rules Limiting Alternative Pleading in Professional Liability Actions

Professionally Speaking

Q2 2025

Professionally Speaking

February 25, 2025

Texas Supreme Court Rejects Repackaging of Professional Claims