

### Asher B. Griffin

Asher represents defendants and plaintiffs in a variety of complex litigation matters. Asher's docket regularly includes all types of business disputes including breach of contract, non-competition, breach of fiduciary duty, fraud, usurpation of corporate opportunity and trade secrets cases. Asher also represents manufacturers in various types of product liability cases, with a particular focus on pharmaceutical and device litigation. Asher has prosecuted and defended lawsuits throughout Texas and around the country, in both state and federal court.

### Recognitions & Awards

Texas Rising Star, a Thomson Reuters business, 2010 and 2011

Steering Committee, Texas Minority Counsel Program, 2011 – 2017

### Representative Matters

#### Commercial Litigation

Represented start-up company and its officers and directors in breach of fiduciary duty, usurpation of corporate opportunity, breach of contract and licensing dispute related to spin-off from publicly traded technology medical device manufacturer.

Represented publicly-traded company in claims against former Chief Executive Officer for breach of non-solicitation and non-competition provisions in employment agreement, as well as misappropriation of trade secrets.

Represented real estate developer seeking business divorce from long term client and partners after successful 15 year relationship involving dozens of projects related to both



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#### RELATED PRACTICE AREAS:

- Business Torts
- Civil Litigation
- Commercial Litigation
- Insurance Coverage
- Labor and Employment Law
- Personal Injury and Products Liability
- Pharmaceutical and Medical Device
- Professional Malpractice Defense

commercial and residential development.

Represent companies, officers, directors, and employees in numerous suits involving theft of trade secrets, breach of fiduciary duties, usurpation of corporate opportunities, shareholder oppression, unfair competition, covenants not to compete, and non-disclosure agreements.

### General Civil Litigation

Represented political campaign against claims of alleged Election Code violations in a gubernatorial election.

Obtained favorable results for Plaintiffs in fraud and breach of fiduciary duty case involving an acquisition of oil and gas interests.

Successfully defended a state-wide elected official in a federal civil rights lawsuit — obtained a dismissal of the lawsuit on the pleadings.

Represented Fortune 500 building products supplier in contract and property damage litigation involving both commercial and residential projects.

### Wage & Hour

Represented national telecommunication company in numerous collective actions and class actions involving allegations of federal and state minimum wage and overtime violations stemming from alleged employee misclassification, independent contractor misclassification, and employee off-the-clock violations. Cases involved class sizes ranging from several dozen to tens of thousands of potential plaintiffs.

Represented regional restaurant chain in wage and hour collective action involving alleged tip pool violations. Case involved claimed class of hundreds of wait staff in numerous cities across Texas.

### Employment Litigation

- Securities and Complex Financial Litigation
- Technology Litigation

Represented numerous clients, including national telecommunication company, regional building products supply store, regional restaurant chain, and various small business in lawsuits involving claims of disability discrimination, race discrimination, age discrimination, FMLA violations, sexual harassment, workers' compensation retaliation, and defamation.

#### Product Liability Litigation

Represented major U.S. pharmaceutical and device companies as well as major U.S. car manufacturers in a wide range of product liability litigation concerning allegations of design, manufacturing, and marketing defects. Cases have involved allegedly defective antipsychotic medication, surgical devices, fuel systems, gas tanks, brake systems, airbags, steering components, rollover avoidance, and vehicle occupant protection.

#### Construction Litigation

Represented owner against multiple defendants in case concerning raw water transmission line that collapsed shortly after its construction. Defendants included the performance bond surety, design engineers and various subcontractors and material suppliers.

### **Bar Admissions & Activities**

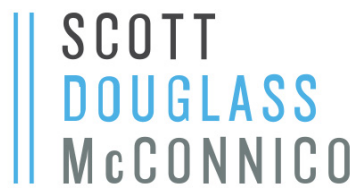
Admitted to the State Bar of Texas, U.S. District Courts for the Western, Southern, Northern, and Eastern Districts of Texas, and the District of Nebraska

Member, Austin Black Lawyers Association

Member, Austin Bar Association

Member, Austin Young Lawyers' Association

### **Education**



Princeton University, A.B., Politics, 1998

Stanford Law School, 2002

### **Articles & Presentations**

Covenants Not to Compete—Can they Be Enforced and if so, How?

Overview of Texas Law Concerning Engineering Malpractice