

Thomas E. Sanders

Member

San Antonio

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Areas Of Practice

Litigation
ERISA Litigation
Employee Benefits and Executive Compensation

Industries

Energy Industry Group
Financial Industry Group
Insurance Industry Group
Mobility and Advanced Transportation Team

Bar Admissions

Texas, 1995

Court Admissions

United States Court of Appeals
Fifth Circuit

United States Court of Appeals
Sixth Circuit

United States District Court
Northern, Southern, Western and Eastern Districts of Texas

Education

- The University of Texas School of Law, J.D., *with honors*, 1995
- University of North Texas, B.A., *cum laude*, 1991

Thomas Sanders is the leader of Dykema's Commercial Litigation Practice Group. Mr. Sanders' practice focuses on representing insurers in coverage litigation, high-exposure bad faith litigation, class actions and arbitrations. He also represents clients in a broad range of commercial disputes, including ERISA litigation, false advertising and unfair competition claims, business torts, products liability, and construction litigation.

Experience

Insurance Litigation

- **Catastrophe litigation.** Mr. Sanders has represented insurers in hundreds of bad faith property damage cases resulting from hurricanes, wildfires, and wind/hail storms throughout Texas and other states. He has tried and obtained favorable verdicts in numerous cases in some of the most challenging venues in the country.
- **Large-exposure bad faith claims.** Mr. Sanders has represented property and casualty insurers in mold exposure and foundation claims; life insurers in large death claims; and health/disability insurers in claims involving the denial of large medical and disability claims.
- **Coverage litigation.** Mr. Sanders handles coverage disputes, including primary, excess, umbrella, and reinsurance in state and federal courts and arbitrations under general liability, commercial and property, business interruption, professional liability, officer and director, and life, accident, disability and health policies.
- **Class actions.** Mr. Sanders has represented insurers in numerous class actions involving alleged misrepresentation/omissions of premium charges and service charges for life insurance products.
- **Securities fraud.** Mr. Sanders has represented insurers and affiliated broker/dealers in securities fraud claims based on alleged misrepresentations in sales of insurance products and securities.

ERISA Litigation

- **Class actions.** Mr. Sanders has represented insurers in numerous ERISA class action lawsuits involving alleged improper calculation of lump sum disability benefits and alleged improper offsets of other income benefits.
- **Improper claims handling.** Mr. Sanders has represented insurers, plans and third-party administrators in numerous lawsuits involving plan construction, alleged improper claims handling, improper denial of benefits, breach of fiduciary duty, and discrimination claims under

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ERISA.

Commercial Litigation

- **Class actions.** Mr. Sanders has represented multiple oil and gas operators in numerous nationwide severance tax class actions.
- **Dispute over sales commissions.** Mr. Sanders has represented clients in arbitrations involving disputes over commissions due under marketing agreement for sale of investments in qualified plans.
- **Trade secrets.** Mr. Sanders has represented companies in lawsuits involving unfair competition and theft of trade secrets by former employees.
- **False advertising.** Mr. Sanders has represented geosynthetics manufacturer and drug manufacturers in unfair competition and Lanham Act false advertising claims.
- **Construction litigation.** Mr. Sanders has represented a company in a lawsuit involving alleged design and construction defects of a large warehouse facility. He also represented a homebuilder in numerous alleged construction defect lawsuits.
- **Warranty and deceptive trade practices claims.** Mr. Sanders has represented a truck retailer in warranty and DTPA claims throughout the United States.
- **Drilling damage litigation.** Mr. Sanders has represented oil and gas companies in mass property damage claims associated with drilling activities.
- **Regulatory compliance and internal investigations.** Mr. Sanders has represented companies on regulatory compliance, regulatory investigations and internal investigations.

Seminars & Speeches

Natural Disasters: Concurrent Causation and its Impact on Commercial Property and Liability Coverage
November 28, 2018

San Antonio Bar Association/Foundation – Law Day Luncheon
May 3, 2012

Workshop: Indemnity Agreements and Insurance
June 13, 2011

News

Thomas Sanders and Deborah Williamson Named 2019 Outstanding Lawyers by *San Antonio Business Journal*
August 12, 2019

Memberships & Involvement

- State Bar of Texas
- San Antonio Bar Association
- Dykema Department Head, Business & Commercial Litigation

Community/Civic Activities

- Laurel Heights United Methodist Church, Lay Leader
- United Methodist Southwest Texas Conference, Lay Delegate
- Youth Orchestras of San Antonio (YOSA), Board Member and Vice Chair of Governance
- City of Alamo Heights Board of Adjustments

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- Member, Board of Directors, Methodist Healthcare Ministries of South Texas, Inc.

Awards & Recognition

- Texas Bar Foundation, Fellow
- Recipient of the *San Antonio Business Journal* 's 2019 Outstanding Lawyers Award
- Recognized in *Texas Super Lawyers*® for Business Litigation, Class Action/Mass Torts: Defense and Insurance Coverage, 2017-2018
- Recognized in *The Best Lawyers in America*® for Commercial Litigation and ERISA Litigation, 2013-Present. Copyright 2015 by Woodward/White, Inc., Aiken, SC
- "Texas Rising Star," Law and Politics Magazine, 2009
- S.A. Scene, "San Antonio's Best Lawyers," 2008, 2016
- Pro Bono College, State Bar of Texas, 2007, 2008