



## AVNIEL J. ADLER

### PARTNER

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### OVERVIEW

Avniel Adler is Board Certified in Insurance Law by the Texas Board of Legal Specialization and has successfully represented clients at trial and on appeal for over a decade. Clients rely on Avniel because of his capacity to listen, his attention to detail, and his ability to consistently offer pragmatic, energetic, and creative solutions to challenging legal problems.

Avniel attended law school in New York, where he was first admitted to practice law, before returning home to Texas, where he was admitted to practice shortly thereafter. Avniel began his career at a plaintiff's litigation boutique specializing in complex fiduciary litigation between owners of privately held business entities. There, Avniel gained first chair bench trial experience and second chair jury trial experience in Brooklyn, New York and Galveston, Texas, respectively. These experiences, together with handling plaintiff's work, taught Avniel how to build a case for trial and how to assess the settlement value of a case. He then joined a national law firm where he defended governmental entities, financial services companies, and employers from general liability claims, federal consumer-protection claims, and employment-based claims.

For the past nine years, Avniel has dedicated his practice to counseling and defending insurers. Avniel has counseled and defended insurers against claims under a variety of insurance forms, including commercial general liability, directors & officers, trucking, cargo, residential and commercial property, excess and umbrella policies. Avniel has investigated and prepared coverage opinions, taken examinations under oath, prepared and argued summary judgment motions and appeals, and obtained the dismissal of dozens of litigated claims.

### FOCUS AREAS

- Appellate
- Commercial
- Complex Tort Litigation

- Directors and Officers
- First Party Property
- Insurance and Reinsurance
- Litigation
- Bad Faith Litigation

## CREDENTIALS

### ADMISSIONS

- New York
- Texas
- U.S. District Court, E.D. Texas
- U.S. District Court, N.D. Texas
- U.S. District Court, S.D. Texas
- U.S. District Court, W.D. Texas
- U.S. Court of Appeals for the 5th Circuit

### EDUCATION

- Hofstra University School of Law, J.D.
- Yeshiva of Greater Washington, Bachelor of Talmudic Law

### CERTIFICATIONS

- Board Certified in Insurance Law, Texas Board of Legal Specialization

## EXPERIENCE

### NOTABLE DECISIONS

A small sample of Avniel's recent representative experience is summarized below.

- In a CGL case, successfully opposed motion for summary judgment concerning alleged breach of duty to defend and prompt payment violations and counterclaim for reimbursement. The parties reached a confidential settlement shortly thereafter. *See Turn2 Specialty Cos. LLC v. XL Specialty Ins. Co.*, No. 4:23-CV-00531, 2024 WL 3430587 (S.D. Tex. June 18, 2024) *report and recommendation adopted*, 2024 WL 4219738 (S.D. Tex. Sept. 16, 2024).
- In a first party property case, obtained summary judgment for carrier on all of insured's claims despite carrier's partial payment of appraisal award and insured's challenge to validity of the award and successfully defended appeal of same. *See Beaty v. Homeowners of Am. Ins. Co.*, No. 01-23-00844-CV, 2025 WL 2446008 (Tex. App. – Houston [1st Dist.] Aug. 26, 2025).
- In an insurance appraisal case, obtained grant of petition for writ of mandamus directing trial court to vacate its appointment of an attorney as umpire in contravention of the insurance policy's subject matter

expertise requirements for umpires. See *In re State Farm Lloyds*, No. 13-22-00545-CV, 2023 WL 2029148 (Tex. App. – Corpus Christi-Edinburg Feb. 15, 2023).

- In a D&O liability case, obtained summary judgment for carrier on all of insured’s claims arising out of coverage denial based on a contract exclusion precluding coverage for underlying class action seeking refunds after SXSW festival was cancelled due to Covid-19. See *SXSW, LLC v. Fed. Ins. Co.*, No. 1:21-CV-00900-RP, 2022 WL 1648500 (W.D. Tex. May 24, 2022).
- In a D&O liability case, obtained summary judgment for carrier on all of insured’s claims based on related-claims provision deeming claim first made before inception of the policy and based on insureds’ breach of warranty in the insurance application. See *Drawbridge Energy US Ventures, LLC v. Fed. Ins. Co.*, No. 4:20-CV-03570, 2022 WL 991989 (S.D. Tex. Apr. 1, 2022).
- In a first party property case, obtained summary judgment for carrier on all of insured’s claims arising from below-deductible adjustment of claimed damages caused by Hurricane Harvey, after successfully moving to exclude all proffered testimony of insured’s expert. See *Guzman v. State Farm Lloyds*, 456 F. Supp. 3d 846 (S.D. Tex. 2020).
- In an insurance appraisal case, obtained sanction against attorney for frivolous litigation and forum shopping, and handled subsequent appeal affirming sanction award and appointment of appraisal umpire after non-suit of insured’s claims. See *Jada Etienne v. State Farm Lloyds*, No. 14-18-00665-CV (Tex. App. – Houston [14th Dist.] September 10, 2019).

## AFFILIATIONS

- Insurance Law Section, State Bar of Texas

## NEWS

- Avniel Adler Board Certified in Insurance Law
- Walker Wilcox Wins Appeal in Texas’ First District
- Walker Wilcox Partner Promotions
- Texas Supreme Court Alters Duty to Defend Analysis
- Walker Wilcox Welcomes Avniel Adler