

# KANE RUSSELL COLEMAN LOGAN

One Mission. Your Mission.



## Bruce M. Flowers

Director

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**With more than three decades of experience, Bruce Flowers advocates for clients in commercial litigation and represents them in environmental disputes while also advising on due diligence and compliance issues.**

Practicing in the firm's Litigation, Environmental, Energy, Construction, and Insurance sections, and with a broad and diverse practice, Bruce advises Texas-based clients and also counsels large national companies such as Starbucks and Home Depot in their environmental matters. His in-depth knowledge and background in both transactional and litigation work allow him to provide clients with a valuable perspective on their particular circumstances and options.

Bruce drafts contracts and litigates contractual disputes, prosecuting and defending claims in both state and federal courts and in arbitration. He also serves as a mediator.

Bruce handles a wide variety of commercial and environmental due diligence and litigation matters, including all types of soil and groundwater contamination and toxic torts. He guides clients in the wake of geotechnical/foundation failures, oil and gas environmental issues, contracting, professional liability, and general commercial and tort litigation, including product and premises liability, employment disputes, construction related litigation, infectious disease, consumer claims, catastrophic injury, and wrongful death matters.

Keeping a watchful eye on the ever-changing regulatory landscape, Bruce helps companies stay compliant with a range of laws, including the Clean Water Act (CWA), Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), Resource Conservation and Recovery Act (RCRA), Oil Pollution Act (OPA), and the Texas Solid Waste Disposal Act (TSWDA).

### **Away from the Office**

When he's not serving clients, Bruce enjoys traveling with his family and spending time at their East Texas lake house.

### **Bar Admissions**

- State Bar of Texas (1991)
- United States District Courts of the Northern, Western, Eastern and Southern Districts of Texas
- United States District Court for Colorado

## Education

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Texas Tech University School of Law, J.D., 1991

- Associate Editor, Texas Tech University Law Review (1989-1991)
- Board of Barristers
- Order of the Barristers
- Moot Court Scholarship Award
- Marshall Moot Court Team
- State Moot Court Team
- ABA-NAAC Moot Court Team;
- American Jurisprudence Awards in Legal Analysis and Research, Legal Writing, and Trial Advocacy

Texas A&M University, B.B.A., 1981

## Practice Focus

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- Complex Commercial Litigation
- Construction
- Energy, Oil and Gas
- Environmental
- Financial Services
- Insurance
- Litigation

## Experience

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### Recent Representations:

- Representation of lenders and prospective commercial real estate purchasers in conducting environmental due diligence
- Representation of commercial parties in negotiating environmental and indemnity provisions in contracts
- Representation of a commercial landowner against a multinational electronics firm for historic chlorinated solvent contamination.
- Representation of an industrial property owner against an adjacent landowner for chlorinated solvent and petroleum hydrocarbon contamination.
- Representation of a shopping center owner in claims for chlorinated solvent contamination.
- Representation of an oil company and service station owner against claims of hydrocarbon contamination from leaking underground storage tanks.
- Representation of an oil and gas company seeking general environmental liability advice.
- Representation of an oil and gas explorative and production company managing wetlands issues and in a dispute arising from the sale of producing assets.

- Representation of a national environmental consulting firm against allegation that it had negligently performed a pre-purchase environmental site assessment.
- Representation of a rural landowner for damage to the landowner's property by saltwater from adjacent oil and gas production activities.
- Representation of a consultant in a case involving "black mold."
- Representation of a multinational remediation firm against contractual and other claims.
- Representation of an environmental consultant against allegations that foundation problems were a result of negligent geotechnical work.
- Representation of a remedial contractor in a CERCLA action.
- Representation of a developer against landowners who claimed property damage by alteration in surface water run off.
- Representation of a municipality in a significant federal citizen suit action.
- Representation of a municipality against civil rights and other claims by an industrial polluter.
- Representation of a dry cleaner against claims of chlorinated solvent contamination.

## Publications

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- Energy Law Today, "ARTICLE EXCERPT: The Unsettled Definition of Waters of the United States," December 2019
- Energy Law Today, "Pitfalls in Purchase and Sale Agreements in the Oil Patch," December 2017
- Energy Law Today, "Indemnity and Access Agreements in Environmental Investigations in the Oilfield and Beyond," August 2018
- *Successful Mediation in Complex Environmental Cases*, October 2016
- *Environmental Due Diligence: A Practical Guide to Environmental Site Assessments Part 2*, July 2014
- *Environmental Due Diligence: A Practical Guide to Environmental Site Assessments Part 1*, June 2014
- *EPA Adopts New AAI Standard*, January 2014
- Co-author of "Discovery Pierces Privileges in Coverage and Bad Faith Actions." 59 Def.L.J. 371 (1992), reprinted in 6 Nat'l Ins. L. Rev. 647 (1993)
- "Spoliation of Evidence: Let's Have a Rule in Response," 60 Def.L.J. 553 (1993), cited in *Trevino v. Ortega*, 969 S.W.2d 950, 955 (Tex. 1997)

## Associations

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- Texas Association of Mediators
- College of the State Bar of Texas
- Dallas Bar Association, Fellow
- Dallas Bar Association, Environmental Law Section, Commercial Litigation Section
- Fellow, Litigation Counsel of America
- Federal Bar Association
- Million Dollar Advocates Forum
- State Bar Association
- Texas Center for Legal Ethics and Professionalism

## Honors

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- Best Lawyers in Dallas, D Magazine, Environmental Law (2018)

- [ARTICLE EXCERPT: The Unsettled Definition of Waters of the United States](#)
- [The Unsettled Definition of Waters of the United States](#)
- [Indemnity and Access Agreements in Environmental Investigations in the Oilfield and Beyond](#)
- [Pitfalls in Purchase and Sale Agreements in the Oil Patch](#)
- [Successful Mediation in Complex Environmental Cases](#)
- [Environmental Due Diligence: A Practical Guide to Environmental Site Assessments Part 2](#)
- [Environmental Due Diligence: A Practical Guide to Environmental Site Assessments Part 1](#)
- [EPA Adopts New AAI Standard](#)
- [Environmental Alert: Avoiding Lender Liability Under CERCLA Following Foreclosure Properties](#)
- [Environmental Alert: Compressed Natural Gas Ignites Regulations \(part 3 of 3\)](#)
- [Environmental Alert: Compressed Natural Gas Ignites Regulations \(part 2 of 3\)](#)
- [Environmental Alert: Compressed Natural Gas Ignites Regulations \(part 1 of 3\)](#)