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| Thomas A. Countryman  Of Counsel, Senior Trial Attorney/Litigation  Tel +1 210 826-2440 tom@mcnelisassociates.com |  |

Tom Countryman, Of Counsel, is McNelis + Associates’ Senior Trial Attorney. Tom has spent over 30 years developing and trying complex commercial cases in a wide variety of state and national jurisdictions. His primary practice priority is understanding his clients' businesses and bringing technology into the courtroom and elsewhere to present clients’ positions in the most understandable and efficient manner. Tom has produced various research and focus group projects to develop, refine and test trial themes and strategies in the most cost-effective manner. He has extensive experience in effectively organizing and managing large, document intensive and personnel intensive projects, and in developing creative responses to difficult problems. Moreover, his attention to detail and affinity for technical issues naturally led to a specialty in dealing effectively with expert witnesses, as well as consultants.

Tom’s extensive litigation practice currently focuses on construction and property tax litigation and exemptions, and he works with technical experts across a wide spectrum of related specialities. Tom has experience in lien creation, preservation and enforcement, as well as in sequestrations, garnishments, injunctions, foreclosures, receiverships, bankruptcy adversary proceedings and unfair competition and trade secret disputes.

Tom also has experience in the drafting and analysis of construction agreements, development contracts and plans and specifications, and in evaluating design and workmanship quality and related processes and issues.

Practices

* Commercial Dispute Resolution and Litigation
* Construction Litigation
* Property Tax
* Business and Commercial Torts

Key industries

* Construction
* Financial Services and Institutions
* Local Government/Tax

Representative experience

Tom has represented a wide variety of major contractors and subcontractors, power producers, manufacturers, financial institutions, oil and gas developers and health care providers. He has been involved in the recruitment and training of testifying and consulting experts in: engineering; architecture, construction; and accident reconstruction and failure analysis ranging from machinery to pharmaceuticals. He has worked with a wide variety of accountants; appraisers; geologists; and medical professionals. He also has represented numerous financial institutions in lender liability, usury, collection and other financial and real estate matters, several of which involved the F.D.I.C.

Tom was Senior Counsel in Norton Rose Fulbright US LLP’s San Antonio office, where he practiced for over twenty-six years with the disputes group. His work there included a diverse range of professional and commercial litigation disputes; expert and associate training and mentoring; and a particular expertise in privilege law and analysis.

As Assistant General Counsel at Chuska Resources Company, Tom was responsible for handling all Company litigation and controversies in-house, including:

* Successful "first impression" administrative litigation with State of Utah over: (1) taxation of Indian resources produced under operating agreements; and (2) payment of alleged royalties thereunder;
* Negotiation of collective bargaining agreement with United Mine Workers of America re: production and maintenance field employees;
* Energy-related litigation work involving financing and operating agreements; farm-outs, leases and drainage; and regulatory compliance; and
* Addressing: employee grievances and in-house Company investigations; disclosures and contract review and revision re: sale of Company; and negotiating and drafting various oil field and financing agreements.

As a Shareholder and Vice-President at Cox & Smith Incorporated, Tom was Co-founder of its Litigation -- Energy and Environmental Law Section. His trial work there included construction; products liability; real estate and financial litigation. He also was involved in disappointed investor; financing/accounting; partnership; and oil field controversies.

Education

JD, Baylor Law School, 1982

BS, *summa cum laude,* Criminal Justice, Texas Christian University, 1979

In law school, Tom was a Brown-Lupton Scholar. As an undergraduate, he was a Chancellor's and Senior Scholar. He has been licensed to practice law in Texas since 1982.

Admissions

* Texas State Bar
* United States Fifth Circuit Court of Appeals
* United States District Courts for the Western, Eastern and Southern Districts
* *Pro hac vice* admissions to various non-Texas State Courts

Rankings and recognitions

* Texas Top Rated Lawyer, LexisNexis Martindale-Hubbell, 2012 - 2018
* San Antonio's Best Lawyers, San Antonio Magazine, Open Sky Media, 2007
* YMCA Volunteer of the Year, The Young Men's Christian Association, 2007
* Who's Who in American Law, Marquis
* Who's Who in the World, Marquis
* Who's Who in America, Marquis

Publications

* "The Appraiser as Testifying or Consulting Expert: Part Three - The Appraiser in Court," American Society of Appraisers Real Property E-Journal, Issue 8, May 4, 2015, http://www.appraisers.org/Disciplines/Real-Property/rp-e-journal
* "Effectively Managing Texas Property Tax Obligations," White Paper, Norton Rose Fulbright US LLP, March 18, 2015.
* "The Appraiser as Testifying or Consulting Expert: Part Two - The Sufficiency of Expert Testimony," American Society of Appraisers Real Property E-Journal, Issue 7, November 24, 2014, http://www.appraisers.org/Disciplines/Real-Property/rp-e-journal
* Co-author, "Case expands scope of downstream Freeport Exemption," Norton Rose Fulbright - Legal update, June 13, 2014
* "The Appraiser as Testifying or Consulting Expert: Part One - The Importance and Selection of Experts," American Society of Appraisers Real Property E-Journal, Issue 6, May 5, 2014, http://www.appraisers.org/Disciplines/Real-Property/rp-e-journal
* Co-author, "Texas Power Plants Obtain TCEQ Ruling Supporting Pollution Control Property Tax Exemption for HRSGs," *Fulbright Alert*, December 7, 2012

Speaking engagements

* "THE APPRAISER AS TESTIFYING EXPERT: Preparing and Presenting Expert Valuation Testimony (Redux)," American Society of Appraisers, 2015 International Appraisers Conference, October 18-21, 2015, Las Vegas, NV.
* "Property Tax Management and Protests," American Society of Appraisers, 2015 International Appraisers Conference, October 18-21, 2015, Las Vegas, NV.
* "THE APPRAISER AS TESTIFYING EXPERT: Preparing and Presenting Expert Valuation Testimony," American Society of Appraisers, 2014 International Appraisers Conference, September 14-17, 2014, Savannah, GA.
* "The Sales Comparison Approach: How to Deal With Limited Sales," Institute for Professionals in Taxation® Property Tax Symposium, Indian Wells, CA, November 5, 2013
* "Successful Long Term Care Mediation Strategies—Methods for Cost Effective Resolutions of Individual and Group Cases," DRI Nursing Home/ALF Litigation Seminar, Chicago, IL, September 7, 2006
* "Apex Discovery, Including Depositions of High Ranking Corporate Officials," Defense Research Institute, Nursing Home/ALF Litigation Seminar, San Francisco, California, September 16, 2005
* "Proving Reasonable Medicine in the Face of Primal Fears of Death and Dying," Defense Research Institute, Nursing Home/ALF Litigation Seminar, San Francisco, September 15, 2005
* "Suing and Defending Managed Care Organizations," Medical Malpractice, Medical Device and Pharmaceutical Litigation, University of Houston Law Foundation, Houston/Dallas, 2001
* Numerous private presentations to various clients concerning defense strategies; deposition preparation; and risk management issues

Memberships and activities

* American Bar Association
* State Bar of Texas
* Defense Counsel of San Antonio, Inc., Membership Chair
* Texas Bar Foundation
* San Antonio Bar Foundation, Director
* Institute of Professionals in Taxation
* International Justice Mission, provided legal services for abandoned children in the Philippines
* Achievers Center for Education, Inc., General Counsel; Board of Directors
* University United Methodist Church, several lay leader positions
* Service Over Self, youth mentor and home builder
* Wesley Community Center, Board of Directors
* American Red Cross, initiated creative fund-raising activities
* Roy Maas' Youth Alternatives
* United Way of San Antonio and Bexar County, Education Issue Council
* Habitat for Humanity, home builder