



## Latosha Lewis Payne

Of Counsel | Houston Office

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Ms. Payne is of counsel in the Vorys Houston office and a member of the litigation group and the energy, environmental and regulatory practice group. Her civil trial practice focuses on environmental litigation, toxic torts, products liability, premise liability, wrongful death actions, and complex mass torts. She also has substantial experience in food claims litigation, real estate litigation, debt collection claims, breach of contract, and insurance coverage actions.

### Career highlights include:

#### Environmental Litigation

- Lead counsel in an environmental contested case/trial involving dispute over issuance of air permit
- Successfully defended a dry cleaner supply company against CERCLA contribution claims pertaining to perchlorate soil and groundwater contamination
- Counsel for a major electronics manufacturer in a vapor intrusion suit seeking relief under CERCLA Sec. 107 and 113 and other state law causes of action including trespass, public and private nuisance, negligence, and claim and punitive damages

#### Products Liability

- Trial counsel for a natural gas compressor manufacturer against novel wrongful death claims of exposure to trace benzene in natural gas wells
- Successfully obtained dismissal for Fortune 500 food company in defense of personal injury product liability claims arising from alleged *E. coli* O157:H7 contamination
- Obtained one of the first summary judgments granted for an equipment manufacturer by the Texas Asbestos Multi-District Litigation Court on the issue of duty to warn under product liability law

### Practice Areas

Environmental  
Litigation

### Industries

Financial Institutions  
Manufacturing  
Oil and Gas  
Restaurants, Food, and Beverage

### Education

The University of Texas School of  
Law, J.D., 2000

*Board of Advocates*

*Environmental Law Journal*

University College of London, Fall  
1999

Thomas J. Watson Fellow,  
1996-1997

Tulane University, B.A., 1996

*Environmental Studies and  
Political Science*

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- Lead strategic defense of an equipment manufacturer that resulted in voluntary dismissal of claims of asbestos exposure pertaining for over 300 plaintiffs in approximately 20 cases
- Obtained summary judgment for Fortune 500 chemical company against a personal injury premise liability claim of acute exposure to propylene oxide by a contractor's employee

### *Other Litigation*

- Lead trial counsel in million dollar partnership and breach of contract case tried to jury verdict in Texas state court
- Lead counsel for Fortune 500 financial institution in real estate litigation pending in state and federal courts throughout Texas
- Member of successful trial team that recovered substantial million dollar settlements for clients relating to bad faith insurance coverage claims

### Publications

“Overview of Summary Judgment Practice in State Court,” co-author, State Bar of Texas, 31st Annual Advanced Civil Trial Course (Dallas, San Antonio, Houston, Austin), 2008.

“TROs and Temporary Injunctions: Organizing the Effort Under Time Pressures,” Univ. Hous. Litigation and Trial Tactics Seminar and Advanced Civil Litigation Seminar, 2006, 2007

“Certain Businesses at Potential Risk of Indoor Contamination,” Hous. Bus. J.: Business Survival, 2007.

“Texas Supreme Court Superfund Law Interpretation Allows Contribution Claims, Clarifies ‘Arranger’ Liability,” co-author, Mealy’s Emerging Toxic Torts, 2005.

### Professional and Community Activities

National Bar Association, Treasurer, Civil Rights Section; Judicial Selection Committee, 2009-present

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State Bar of Texas, Legal Services for the Poor in Civil Matters Committee, 2006-2009

Houston Bar Association, Lawyers Against Waste Committee, Past Co-Chairperson, 2007-present

Big Brothers Big Sisters of Greater Houston, Board of Directors, 2004-2010

Houston Lawyers Association, Board of Directors; Past President, 2006-2007

Houston Lawyers Foundation, Board of Directors; Chairperson, 2008-present

Houston Multi-Bar Diversity Committee, Published 2007 and 2010 Diversity Report Card on Houston Law Firms

Houston Young Lawyers Association, Board of Directors, 2008-2009; Chairperson, Crossing the Line Juvenile Law Committee

State Bar of Texas, Houston Committee, Texas Minority Attorney Program, 2007 and 2010

Houston Volunteer Lawyers Program, Volunteer Attorney

Justice for Children, Texas C-Bar, and NAACP Legal Redress Clinic

Special Olympics of Greater Houston, Volunteer, 2005-2007

Girls Incorporated of Greater Houston Guild, Member

Houston Communities in Schools Programs, Mentor

### Honors and Awards

*Texas Super Lawyers Rising Stars*, Environmental Litigation, 2008-2012

*Houston Top Lawyer*, H TEXAS Magazine, 2008 and 2009

*Houston Top Lawyer for the People*, H TEXAS Magazine, 2009

*Top Professional on the Fast Track*, H TEXAS Magazine, 2006-2008

Fellow, Texas Bar Foundation

Fellow, Houston Bar Foundation

Life Fellow, Houston Young Lawyers Foundation

Woodrow B. Seals Outstanding Young Lawyer of the Year Award, 2007

Tulane University Martin Luther King, Jr. Community Service Award, 1995

Fellow of the Texas Bar Foundation since 2006

Fellow of the Houston Bar Foundation since 2007

Martin Luther King, Jr. Community Service Award, 1995

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### Bar and Court Admissions

#### Texas

U.S. District Courts for the Southern District of Texas

U.S. District Courts for the Eastern District of Texas

U.S. District Courts for the Western District of Texas