



## LEWIS C. MILTENBERGER

Partner

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Lewis C. Miltenberger is a seasoned attorney who helps businesses with a wide range of legal challenges, especially complex, multiparty litigation involving allegedly toxic substances such as asbestos, benzene, and silica.

He's developed comprehensive strategies for handling large numbers of these cases and has successfully implemented these strategies both in the courtroom and in the boardroom. He serves as regional and local trial counsel for clients in mass tort litigation, representing corporate defendants in commercial, products liability, and toxic tort cases involving personal injury, wrongful death, premises liability, and property damage. He's represented clients in state and federal courts in Texas, Louisiana, Illinois, Kansas, and Missouri.

Mr. Miltenberger has defended manufacturers of an array of products, everything from clothing to insulation to industrial equipment and supplies. He's also represented a range of clients, including miners, suppliers, manufacturers, distributors, end users, and property owners.

In addition to his litigation work, Mr. Miltenberger advises business owners throughout Texas on a range of legal issues. From startup to dissolution, he has structured and negotiated agreements for joint ventures, partnerships, purchases and sales, and multi-party loans. He

### PRACTICES

- Asbestos
- Class & Mass Tort Actions
- Commercial Litigation
- Construction
- Premises Liability
- Products Liability
- Toxic Tort

### BAR ADMISSIONS

- Texas
- Illinois
- Missouri
- U.S. District Courts for the
  - Eastern District of Texas
  - Western District of Texas
  - Northern District of Texas
  - Southern District of Texas

### EDUCATION

- Baylor University School of Law, J.D., 1989

also handles disputes involving contracts, fraud, fiduciary duties, landlord/tenant, deeds and easements, and construction.

When he's not practicing law, he enjoys traveling, playing golf, and watching sporting events. His favorite pastime is spending time with friends and family, especially his two grandsons.

- Southeast Missouri State University, B.S. in Finance and Economics, 1981

#### LAW SCHOOL HONORS/INVOLVEMENT

- Phi Delta Phi

## Results

### Significant Trials and Decisions

- Asbestos case where jury found no product defect and no negligence on part of client. *Alton Ryals, et al. v. SEPCO, et al.*, Cause No. 91-17877 (Travis County, TX).

#### Asbestos Cases with Directed Verdict for Client

- *Dorothy Lehmann, et al. v. Able Supply Co. et al.*, Cause No. 26,342-B (Milam County, TX, November 8, 2001).
- *Theodore Cichocki, et al. v. AC&S, Inc. et al.*, Cause No. 2001-1082 (El Paso County, TX).
- *Claude Tucker, et al v. AC&S, Inc. et al.*, Cause No. CV-33246 (Hopkins County, TX).

#### Summary Judgments for Asbestos Cases

Summary judgment upheld on appeal. *Julie Ryan, Individually and as Personal Representative of the Heirs and Estate of Glenn Ryan, Deceased, James Ryan and Brandie Fellows v. KCG, Inc.*, No. 030400150CV (Court of Appeals of Texas, Third District, Austin).

Motion for Summary Judgment granted by trial court. *Rosemary Smith, Brady Smith, and Donna Hubbard, Individually and as Personal Representative of the Heirs and Estate of Dorman Smith, Deceased v. Elementis Chemicals, Inc. et al.*, Cause No. 348-210200-05 (348<sup>th</sup> Judicial District, Tarrant County, TX).

Motion for Summary Judgment granted by the Texas Multi-District Litigation Asbestos Court. *Robert Kobe Hill v J-M Manufacturing Company, et al., et al.*, Cause No. 2011-56860 (190<sup>th</sup> Judicial District, Harris County, TX).

Motion for Summary Judgment granted by the Texas Multi-District Litigation Asbestos Court. *Ruben O. Pena, Individually and as Personal Representative of the Heirs and Estate of Nolberto B. Pena, Sr., Deceased, Nolberto B. Pena, Jr., Carmen T. Cubillos, and Rebecca A. Pena vs. Bondex International, Inc., et al.*, Cause No. 2006-3022 (34<sup>th</sup> Judicial District Court, El Paso County, TX).

Motion for Summary Judgment granted by the Texas Multi-District Litigation Asbestos Court. *Robert Kolbe Hill v. J-MM*, Cause No. 2011-56860; *Robert Kolbe Hill and Rachel Hill, His Wife vs. Akzo Nobel Paints, LLC, formerly known as The Glidden Company, et al.* (11th Judicial District Court of Harris County, TX).

## Honors

### Honors & Awards

- AV Preeminent® Attorney by Martindale-Hubbell
- Alumni Merit Award, Southeast Missouri State University (2024)

### Professional Associations

- American Bar Association
- Dallas County Bar Association
- Illinois State Bar Association
- Missouri Bar Association
- Tarrant County Bar Association
  - Lifetime Fellow
- Texas Association of Defense Counsel
- Texas Bar Association

### Other Professional/Civic Involvement

- Zoning Board of Adjustments (City of Southlake, TX)
  - Chair

## Insights

### Events & Speaking Engagements

Mr. Miltenberger frequently presents in-house training for insurance companies. He also speaks frequently at various Texas bar association meetings. Topics include:

- The Public Policy of Governmental “Takings”

- Plaintiff Deposition Strategies
- Texas Statute of Repose
- Texas Prompt Payment of Claims Act
- Investigating Fraudulent Claims: Guidelines for Good Faith Investigation in Texas
- Top Ten Bad Faith Issues in Texas
- Construction Defects - "Covered or Not? - More "Knots" from Texas courts
- Begin With the End In Mind – Trial Strategies Straight From the Charge
- Know When to Hold'em, Know When to Fold'em, and Know When Not To Ask the Question (*Ryan v. KCG, Inc.*)
- Texas Statute of Repose in Personal Injury Cases

## News

FEBRUARY 27, 2025 | FIRM NEWS

HeplerBroom Adds Texas Attorney to Its Asbestos Practice Group