

Plaintiffs Bar Perspective: Chip Brooker

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[Chip Brooker](#) is a trial attorney at The Law Offices of [Frank L. Branson](#) in Dallas. Growing up, Brooker knew he would either be a preacher, football coach or trial lawyer. There was little doubt that he thrived in the spotlight and loved having a captive audience. Ultimately, after graduating from Texas A&M University, Brooker was called to the practice of law and graduated from SMU Dedman School of Law.



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After graduation, Brooker worked for [Haynes and Boone](#) in Dallas where he learned to try complex cases under the tutelage of the late George Bramblett Jr.; David R. McAtee II, the senior executive vice president and general counsel of [AT&T Inc.](#); and Pete Marketos of [Reese Gordon Marketos](#). However, in 2013, Brooker left Haynes and Boone for an opportunity to work with Frank Branson.

At the Law Offices of Frank L. Branson, Brooker focuses his practice on representing individuals and their families in wrongful death and catastrophic personal injury cases involving defective products, workplace and oilfield accidents, trucking and transportation accidents, explosions and burns, and professional negligence. He has repeatedly been recognized by Texas Super Lawyers and included in the Top 100 in Texas and the Top 40 Under 40 by The National Trial Lawyers.

Q: What's the most rewarding aspect of working as a plaintiffs attorney?

A: For me, the most rewarding part of this job is getting to know our clients and having the opportunity to champion their stories.

Inevitably, we are introduced to our clients in their most vulnerable moments. Some have sustained a catastrophic personal injury; others have tragically lost one of their most precious family members. Either way, our clients simply want someone to tell their story.

And, these are real, salt-of-the-earth people who genuinely need our help. We get to know

their families as well as our own. We talk to friends, teachers, pastors, co-workers and doctors. We study ordinary people in detail, and we learn what made them extraordinary to those who loved them.

This practice is not about defending a brand, securing the bottom line, or minimizing risk. Our practice is about defending the fatherless and pleading the case of the widow. At my core, I am still the idealistic, first-year law student wanting to wear the white hat and do justice. And, I get to do just that. Every day.

Q: What skill do you feel is most important for achieving success as a plaintiffs attorney?

A: Fearlessness. When you work on a contingency fee, there is no safety net, so this practice is not for the faint of heart.

Ultimately, we are David; they are Goliath. Insurance companies and corporate defendants will always have more money, more resources, more lawyers and more experience with similar claims and cases. They will try to bully you and your clients. They will delay for the sake of delay alone. They will do all of this in hopes of scaring you and your client.

If you have done your part, then you should have no fear going the distance and asking 12 people to believe in your case and your clients the same way that you do.

Q: Share an example of a case that was particularly challenging, and how you handled it.

A: Less than six months before trial, I was asked to take over a complex case concerning a fatal commercial bus crash that killed three people and injured more than three dozen. Many of the other lawyers involved believed that these cases would never be tried. Yet, Frank Branson sets a high bar for us. We assume that all of our cases will be tried, and we prepare them that way.

Because I had not worked the case up, I was able to approach the file with a fresh perspective. The file was in good shape and had been well developed, but there were still stones that could be overturned. There were dozens of similar cases filed and numerous law firms involved, but we were taking the lead.

Our wrongful death case would be tried first to determine the liability of the casino who chartered the commercial bus. This was tricky because the casino neither owned the bus nor employed the driver; this was a chartered bus owned and operated by a different company. However, the casino did have an independent group tour coordinator on the bus who organized the trip for the casino's benefit, and both the casino and the group tour coordinator exercised control over the bus company and the bus driver.

From day one, I had a sense that we were going to get to try these cases, so I had to put on blinders to the evidence, as it had been developed. I started from square one going through thousands of pages of discovery page by page. We interviewed and talked to witnesses that no one had talked to or deposed yet, and the stories that they told began to clarify what happened on the bus prior to its crash. It became clear that the bus driver lost control of the bus while arguing with the casino's independent group tour coordinator about whether to take the tollway and who would pay for it. We felt comfortable enough to bring these witnesses to trial without further depositions, which would help keep the defendants guessing.

The other difficult aspect of our case was the fact that our deceased client was 84-years old, and quite frankly, the defendants did not believe that the life of an ordinary 84-year old woman was worth much money. At trial, we were able to emphasize what made our client special. She was the mother-hen of her local retirement community — the glue that held the community together. She raised three good children and loved her grandchildren. However, she was also a master seamstress who designed costumes for high-level competitive figure skaters and ballroom dancers. Even at 84 years old, she was working around the clock designing and creating magnificent costumes. During trial, we were fortunate to have one of her costumes to display on a mannequin during opening statements and closing arguments.

Prior to trial, the defendant casino offered to settle our clients' case for \$50,000. However, they grossly underestimated the jury, who did the right thing and awarded our client more than \$4.9 million. More than anything, our clients felt that they had received justice for the loss of their mother, who was anything but an ordinary 84-year-old woman.

Q: What advice would you offer to young lawyers interested in practicing as a plaintiffs attorney?

A: Young lawyers and law students should find mentors in the plaintiffs practice who can

give insight into their local market. As a young lawyer or law student, you lack experience. However, your leverage is free or inexpensive labor. Get as much experience as you can while you are young. Volunteer to carry a briefcase to court. Find a way to try cases either in a prosecutor's office or as an insurance defense attorney. Get involved with the local trial lawyers association.

Q: Name a plaintiffs attorney outside your own firm who has impressed you and tell us why.

A: Recently, I had the opportunity to handle a wrongful death case involving an oil well blowout. David Rumley of [Wigington Rumley Dunn & Blair LLP](#) represented another family, who had also lost a loved one in the blowout.

Over the course of the last several years, like our firm, David has handled a significant number of catastrophic injuries and wrongful deaths in the oil and gas industry. From the initial telephone call and our first meeting, there was no doubt that David knew the finer points of oil and gas operations better than some industry veterans. Frank and I were sure that he would be an asset on the plaintiffs' side of this case.

Throughout the case, David and his staff proved themselves to be pragmatic yet persuasive advocates. David is deliberate and decisive. But beyond that, David is absolutely confident in his analysis and approach. Once David has wrapped his head around a case, the defendant has the option of paying his number or trying the case. At the end of the day, David Rumley is not going to back down or blink first, and he has a long list of verdicts to back up that approach.