

The background of the cover is a photograph of the Grand Opera House in Dallas. The building is a tall, dark structure with a large, white, rectangular section in the center. The word "GRAND" is written vertically in large, gold, outlined letters on the left side of the building. The word "OPERA" is written horizontally in large, gold, outlined letters across the middle of the building. Below the "OPERA" sign, the words "EXTRAORDINARY WOMEN" are written in red, outlined letters, and "IN TEXAS LAW" is written in red, outlined letters below that. The sky is a clear, light blue.

TEXAS LAWYER

presents

GRAND
OPERA
EXTRAORDINARY WOMEN
IN TEXAS LAW

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Kathy Patrick

Partner
Gibbs & Bruns
Houston
48

TEXAS LAWYER
Extraordinary Women
in Texas Law

For Texas litigators, handling big-money cases for mega-corporations is commonplace. But when a bet-the-company case impacts the law or one of the nation's largest cities wants its citizens to breathe easier, that's the kind of work that sets Kathy Patrick apart.

Patrick led a team of lawyers from her firm in setting new standards in insurance law with her representation of outside directors of Enron — involving more than 100 cases consolidated in U.S. District Court as *In Re: Enron Corp. Securities, Derivative & "ERISA" Litigation*. The complex cases played out from 2001 through 2007. Patrick's victory for her clients, including issues upheld by the 5th U.S. Circuit Court of Appeals, "created a road map that can be followed in subsequent cases involving partial settlements of cases against officers and directors," says Gibbs & Bruns managing partner Robin C. Gibbs.

Another of Patrick's cases heard 'round the state was last fall's *Houston Association of Alcoholic Beverage Permit Holders, et al. v. City of Houston*. Local bar owners had challenged the city's no-smoking ordinance in federal court, claiming it was unconstitutional.

The 1985 Harvard Law grad again led her Gibbs & Bruns team in successfully defending the ban, even though a "somewhat similar" ban in Austin already had been struck down in court, says Elena M. Marks, Houston's director of health and environmental policy.

"She did such a good job that the other side did not appeal," Marks says.

Marks calls the smoking ban ruling, which involved the issue of a municipality's ability to pre-empt state law, a "big deal." She also believes cities across the state will look to Houston's federal court success — and Patrick's litigation strategy — in developing their own public health ordinances.

Marks says that she asked Patrick to take the case "because of her reputation." Patrick called her 24 hours later and said she'd take the case pro bono. Marks says she was so surprised, she nearly fell out of her chair.

The decision to handle the case pro bono followed a mayoral initiative encouraging local law firms to help the city, says Gibbs. Patrick says her reason for approaching her firm with the request was professional and personal. "I feel like it's a real privilege to practice law, and it's a real opportunity to give back to the community. I didn't think the city should have to pay me to uphold their good judgment on making the air cleaner," she says.

But she also wanted to take it on because her son has asthma, and she knew what it was like to wonder whether a restaurant's smoking section was too close for his comfort. Says Patrick, "I wanted all kids to be able to breathe clean air when they went out to dinner with their families."