



Emma Perez McKellar

Associate

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Emma McKellar focuses her practice on business litigation, product liability, and premises liability in Texas state and federal courts. She is part of the Firm's Global Water Treatment and Legionella Team where she defends clients nationwide in complex legionella cases.

Emma's practice spans commercial litigation, water treatment, product liability, and premises liability matters. As a member of the Firm's Global Water Treatment and Legionella Team, she defends clients nationwide in complex Legionella and water safety cases and successfully defended the first public nuisance action arising from Legionella positivity in a remote-exposure setting.

Emma also represents national retailers in product liability litigation, as well as property owners and landlords in premises liability and dog-bite cases. In addition, she defends both insurance adjusters and companies in claims brought under the Texas Insurance Code, the Texas Deceptive Trade Practices Act (DTPA), and similar insurance disputes.

In her broader commercial litigation practice, Emma handles catastrophic injury and wrongful death matters, including cases that have attracted significant media attention. She is known for her strategic approach, clear communication, and commitment to guiding clients through high-stakes disputes.



Representative Matters

- Successfully defended the first public nuisance action arising from Legionella positivity in a remote-exposure setting, significantly narrowing the claims at an early stage.
- Represented national retailers in product liability matters and resolved all claims through non-liability defenses – including the non-manufacturing seller defense and statute of repose arguments – to eliminate and substantially reduce exposure.
- Defended a property management company in a catastrophic dog-bite injury case with initial media attention, significantly limiting exposure and resolving the matter on favorable terms.
- Persuaded potential litigants to dispense with unfounded claims against a property management company, shutting down the dispute before discovery and preventing unnecessary cost.
- Obtained dismissal with prejudice of Texas Insurance Code § 541.060 claims against an insurance adjuster based on the adjuster's lack of authority to make payment or coverage decisions.
- Defended a telepharmacy services company in a \$1 million wrongful death and medical malpractice lawsuit.



Professional Honors & Activities

- President – Phi Delta Phi International Legal Honors Society: Wood Inn



Publications

- Co-author – "Do You Have to Allow Anyone Onto Your Facility? OSHA's New Rule Says You Might Have To," *CTI Journal* (Summer 2025)
- Co-author – "Vanishing Forums and Vacated Awards: Fifth Circuit Addresses Arbitrability and Vacatur in Commercial Energy Disputes," IEL's *Energy Law Advisor* (June 2025)
- Co-author – "When the Forum Sinks: The Fifth Circuit Wades in on Defunct Arbitration Forums," TIPS Admiralty and Maritime Law Committee Newsletter (Spring 2025)

- Co-author – "A Necessary Defense: Legionella Public Health Citations," Association of Water Technologies (September 2024)
- Co-author – "Local Ban: Moratorium on Evaporative Cooling," Association of Water Technologies, Louisville, Kentucky (September 2024)



Education

- South Texas College of Law Houston, J.D., 2023, magna cum laude
 - Senior Articles Editor – *South Texas Law Review* (2022 – 2023)
- Virginia Military Institute, B.S., 2020, with distinction



Admissions

- Texas, 2023
- U.S. District Court for the Southern, Eastern, Northern, and Western Districts of Texas, 2023
- U.S. District and Bankruptcy Court for the Southern District of Texas, 2023