



Dan Hernandez

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Office Location:
El Paso, TX
Albuquerque, NM

- Shareholder
- Board Certified in Personal Injury Trial Law by the Texas Board of Legal Specialization



PROFESSIONAL EXPERIENCE

Daniel is a shareholder with the law firm of Ray, Peña, McChristian, P.C. and Board Certified in Personal Injury Trial by the Texas Board of Legal Specialization.

Daniel is an experienced trial lawyer with substantive jury-trial experience. He is licensed in Texas and New Mexico. Since 1991, Daniel has been lead trial counsel and part of trial teams in over 100 trials as counsel for businesses, corporations, companies, governments, employers, manufacturers, owners, insurance companies, and individuals, in which a favorable outcome and outright client verdicts have been achieved in over 90% of the cases. Daniel's practice focuses on two areas- business litigation and personal injury defense. He has handled a variety of civil and complex commercial disputes, including claims of breach of contract, contract indemnity, fiduciary duty, first and third party insurance claims, property damage claims, inverse condemnation, professional liability, fraud, civil rights, deceptive trade practices, and employment disputes- discrimination and wrongful termination cases. He has defended high stakes catastrophic personal injury cases, including multiparty death and injury auto, trucking, bus, work site, construction site, premises, products, fire, foodborne illnesses, and workers' compensation cases. Daniel has extensive experience handling and examining a variety of experts in various professional and medical specialties. Daniel has also successfully handled many of his own trial verdicts on appeal.

RECENT REPRESENTATIVE EXPERIENCE

Confidential Clients: Successfully tried over 150 administrative cases as lead counsel before the Texas Workers' Compensation Commission.

Confidential Client: Successfully defended, in South Texas, as part of a trial team a worldwide clothing manufacturer in over 2,000 worker lawsuits involving respiratory exposure injuries.

Rodriguez v. Romero: As lead counsel, obtained an improbable jury defense verdict in a personal injury lawsuit in which his client had been earlier convicted of murder in an earlier separate criminal case for the underlying incident claimed in the lawsuit.

Martino v. Kiewit Construction: As lead counsel, obtained a defense verdict on a construction site accident involving a crushing injury to Plaintiff's foot, and subsequently won the appeal to the U.S. Fifth Circuit Court of Appeals.

RKI v. Ameriflow: As lead counsel, obtained summary judgment in favor of his client on a contractual indemnity claims worth over twelve million dollars.

Gallegos v. Hernandez: As lead counsel, obtained another improbable defense verdict on a highway auto accident case in which his client admitted liability and the jury deliberated for only five minutes.

Confidential Client: Numerous successful summary judgment victories of 1991 Civil Rights lawsuits against a private corrections corporation and subsequent victories on appeals to the U.S. Fifth Circuit Court of Appeals.

COURT ADMISSIONS

- Texas, 1991
- New Mexico, 2008
- U.S. District Court, Western District of Texas, Southern District of Texas and Northern District of Texas
- U.S. Court of Appeals, 5th Circuit
- U.S. District Court, District of New Mexico

AWARDS AND RECOGNITION

Elected President, El Paso Bar Association, 2019-20 and Board of Director since 2011. West Texas Vice President, Texas Association of Defense Counsel (TADC), 2018-20; Area District Director, 2016-18.

2016, El Paso Mexican American Bar Association's Investing in Our Community Award.

Master member of George A. McAlmon American Inn of Court.

Board of Directors, Texas Bar College, and Fellow of the College.

Vice President, Texas Association of Defense Counsel, and past recipient of President's Award.

2020 Recipient, The Hispanic Issues Section of the Texas Bar Association's Access to Justice Award, for Walmart 2019 shooting pro bono assistance and clinic.

PUBLICATIONS

"Defending a Construction Site Accident Case," Texas Association of Defense Counsel, 2018 Fall/Winter Magazine.

Various continuing legal education seminar papers and presentations, 2000-2019.

PROFESSIONAL AND COMUNITY INVOLVEMENT:

As President of the El Paso Bar Association, in the aftermath of the El Paso Wal-Mart mass shooting, Daniel organized volunteer attorneys to help victims with legal issues and a hotline to refer victims to pro-bono attorneys in response to the massacre on August 3, 2019 which history will record as one of the most serious acts of domestic terrorism targeting Hispanics and El Pasoans. Daniel also organized a successful free CLE to train attorneys and community advocates about the effects of the mass shooting and how to assist victims in the aftermath. He has also organized for the El Paso Bar free community legal clinics, free bimonthly members' CLE, and a highly successful Annual Civil and Criminal CLE in New Orleans with judges from the Texas Supreme Court and Texas Court of Criminal Appeals. Daniel's programming has provided members many opportunities for personal and professional growth and rewards.

As TADC's West Texas Vice President on its Board of Directors, Daniel has served as Chair of various CLE TADC seminars and presented many seminar topics on litigation and trial topics.