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Updated with Q&A: Egan Nelson Boosts Commercial Litigation Practice with Mark Johansen from Reed Smith

JULY 26, 2024 KRISTA TORRALVA

Boutique law firm Egan Nelson boosted its commercial litigation group this week with the addition of Dallas partner Mark L. Johansen.

Johansen is a seasoned litigator who was most recently with Reed Smith, where he helped the firm [open its Dallas office](#) in 2019.

“As we continue to build an elite team of attorneys with a proven track record of success at highly prestigious firms, Mark is a perfect fit for Egan Nelson,” said Shane Egan, managing partner of Egan Nelson. “He is a hands-on leader who aligns with our values and is one of the top trial attorneys in the state of Texas.”

Johansen’s resume is wide-ranging; he’s represented clients in multimillion-dollar contract disputes, mergers and acquisitions litigation, business torts, shareholder and securities litigation and more, according to the firm’s announcement. In February, *The Texas Lawbook* [covered a \\$22 million jury verdict](#) in favor of Johansen’s client, a former president and CEO of real estate company Pillar Income Asset Management in a breach of contract dispute.

“Mark’s diverse range of discerning clients across energy, healthcare, financial services, private equity, professional services and real estate complements our existing client base,” Egan added.

Johansen praised his new firm for being “innovative” and said his clients will “derive new value” from Egan Nelson. Johansen said he’s known Egan and partner Thomas R. Nelson for many years and admired their vision for the firm.

“Today’s businesses are demanding a new approach from law firms, and it’s clear that Egan Nelson is at the forefront of this movement,” Johansen said. “It’s an exciting time to be joining the firm, and I’m looking forward to the journey ahead.”

Johansen, a graduate of the University of Oklahoma College of Law, has also previously worked at Perkins Coie and the now-shuttered [Gruber Hail Johansen Shank](#), of which he was a named partner.

Johansen spoke with *The Texas Lawbook* about his move. The following interview has been edited for clarity.

You were among the very first class of Reed Smith Dallas partners when the firm opened here. Why did you decide to leave Reed Smith now?

Reed Smith is a fine firm and I enjoyed my time there. I’ve known Shane and Tom for many years. Actually, when I was joining Reed Smith in 2019 I was actually in a pending lawsuit where I was working with Shane and Tom, both, and got to know them very well. Over the years, we stayed in touch. I had watched them from afar. And we had several informal discussions where they indicated their interest in having me join them. And just over the years, it seemed like it could make sense one day and it just seemed like the right time. With any large firm like Reed Smith, there are certainly benefits – multiple offices and lots of lawyers, lots of practice areas, but at the same time, a large firm environment does create the potential for conflicts. I had lost a number of cases over the years due to conflicts. And frankly, the Dallas office grew to about 40 lawyers, which was about the same size as Egan Nelson. So it seemed like there could be advantages to moving to a boutique environment while maintaining roughly the same size of lawyers that had been in the Dallas office at Reed Smith. So it was just a combination of things and the model that

Shane and Tom have developed was just appealing to me. So, they asked me to come join the firm and strengthen and bolster the commercial litigation group and it just seemed like a new challenging opportunity in an environment that would certainly have less conflicts than I had before. I'm interested in doing both plaintiff and defense work. At larger firms, it's just harder to do plaintiffs work for a number of reasons, including conflicts.

How have your clients reacted to the news?

It has been received very positively by my clients. I took, literally, 100 percent of my clients that I was working with at Reed Smith with me to my new firm. So, it's been received very favorably by the clients.

What's keeping you busy in your practice right now?

I have a number of multi-party litigation cases. I have several cases that are set for trial in the fall and winter of 2024 and in the spring and summer of 2025. I represent a large energy company. I represent a healthcare company and others in very active litigation that trials are expected to occur in the next several months and beyond.

What trends are you seeing in your practice area?

Well, number one, with the new business courts that have been formed, we're seeing the opportunity to have cases moved from the district courts to the business courts. In fact, in one of my pending cases in Collin County, which is a breach of contract breach of fiduciary duty case involving several health care companies and some health care executives, we are discussing an agreement with plaintiff's counsel to remove the case from Collin County District Court to the new business court. So I think that's one of the more notable new things we're seeing is the opportunity to have cases in the new business courts, which will be interesting to see how that works out. We're excited about the opportunity to do that and our judge in Collin County, Judge Andrea Bouressa, is one of the judges who has been appointed to one of the new business courts and we're in discussions about trying to stay with her because we've been very pleased to be in her court. So, I think we're going to try to have her continue with the case, but just have the court be the new business court.

What else am I not asking you about your practice that I should be?

It's just a great opportunity to get to work with Shane and Tom in a boutique environment. They also have a very strong transactional practice that is certainly more deep than the Dallas office of Reed Smith, which will be very beneficial to my clients. For many of my clients, I'm able to have the firm handle their transactional practice as well as litigation. That was a very strong, appealing point to me: the strength and depth of the Egan Nelson transactional practice.

In addition to the \$22 million dollar jury verdict you obtained earlier this year, what are some of your other notable cases throughout your career?

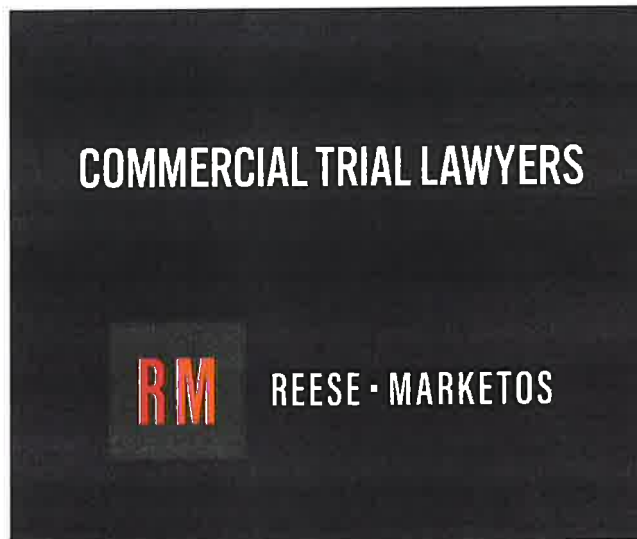
I had a very large consumer plaintiff verdict in Judge Martin Hoffman's court several years ago. It was against an adoption agency for a couple million dollars. I had a large arbitration award against one of the big four accounting firms in an audit malpractice case a number of years ago. And I've had a number of substantial breach of contract, fraud, and breach of fiduciary duty cases over the years and I plan to continue that practice.

I had a noteworthy defense case tried in 2022 in Judge Monica Purdy's court and it was noteworthy because we were hired three weeks before trial. I was representing a technology company and its founder in a breach of contract fraud case and we obtained a full defense verdict in a two-week trial. I assembled a team within the firm, and it was just working 100 percent on that case for the next month. It was very challenging, not something I want to do all the time, but it was very rewarding and we were very happy we were able to achieve that result for the client.

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