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SA attorney on going viral, winning one of this year's largest jury verdicts

After a year-long hiatus, this San Antonio lawyer returned to the courtroom last month with a statewide Zoom gallery to win his client \$32 million

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If all eyes were on Corey Wehmeyer when a Montgomery County jury handed down a \$32 million verdict in his client's favor, the San Antonio lawyer wouldn't have known it.

That's because the audience for the blockbuster verdict – which could end up being one of the largest in Texas this year – was almost entirely virtual.

Due to Covid-19 restrictions, the public was not allowed in the courtroom to watch the nine-day trial between two former business partners who each accused the other of harming the business. But that didn't stop people from tuning in from their homes via Zoom, Wehmeyer said.

"There were people across the state of Texas that, with so few jury trials happening, had interest in this," he told the Business Journal. "So every day, it would be logged into Zoom and the judge would refer to all of our Zoom friends."

The Texas Supreme Court gave its blessing for in-person trials in March, and last month's trial was the first time Wehmeyer, a named partner at San Antonio firm Santoyo Wehmeyer PC, had appeared before a jury in over a year.

Some of the pandemic-era restrictions placed on the trial made things difficult for the lawyer, including the spacing of potential jurors and the use of face masks. The masks, for example, made it

difficult to read jurors' reactions to witness testimony, Wehmeyer said.

"Reading facial expressions is such an important piece of assessing witness credibility," he said.

Interestingly, it may have been his opponent's lack of credibility that ultimately led to Wehmeyer's victory. After the verdict was read, the jurors allegedly told him that the testimony of his client's business partner made the man seem suspicious.

"The feedback that we had from the jury was that Lee Burkett, after his cross examination, had lost all credibility, and the jury had basically made a determination after hearing his ... testimony," Wehmeyer said.

Burkett sued Garrett Gagliano – Wehmeyer's client – in 2018, claiming that Gagliano failed in his duties as chief financial officer of L&S Pro-Line LLC by refusing to sign off on certain expenses needed to run the business. Proline manufacturers metal skids on which to mount pipeline control panels, like the ones Gagliano makes for his other business.

In response to the lawsuit, Gagliano countersued. It was Burkett, he alleged, who was failing the company by using the company's checkbook for bribes and personal expenses as well through instituting shady hiring practices all while Gagliano was 200 miles away at his Kendall County home.



Corey Wehmeyer is with San Antonio-based boutique energy law firm Santoyo Wehmeyer P.C.

When Gagliano attempted to check in on the company after gathering evidence that Burkett was allegedly passing off Gagliano's work on the control panels as his own, he claims he was forcibly removed from Proline's offices.

In the end, the jury found that Gagliano committed no wrongdoing and ordered Burkett to pay \$32 million to Gagliano – money that Wehmeyer said he can begin collecting once the final judgment is issued in the next few weeks. He does anticipate an appeal, however.

Nevertheless, he thinks the large verdict has sent an appropriate message.

Gagliano "truly just wanted this to be a message that this type of business conduct is not OK," Wehmeyer said. "He does feel that this will serve as an important deterrent effect in the community to make sure that this doesn't happen to others."