

MICHAEL F. PEZZULLI

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SUMMARY

- Board Certified in Civil Trial Law since 1986, Texas Board of Legal Specialization. www.tbls.org
- Credentialed Mediator, credentialed by the Texas Mediator Credentialing Association.¹ <http://www.txmca.org/index.html>
- Obtained largest jury verdict in U.S. History in Domestic Violence case (Dallas, Texas) (\$40,100,000.00, April 2016);
- Obtained a defense jury verdict on behalf of a national bank in \$25,000,000.00 lender liability claim (Dallas, Texas);
- Obtained largest jury verdict in U.S. history in Child on Child Sexual Abuse case (Dallas, Texas) (\$12,800,000.00)
- Obtained a defense jury verdict on behalf of a securities defendant in blue-sky securities fraud case (Columbia, S.C.);
- Successfully represented a target defendant in bank failure case against the FDIC (Dallas, Texas);
- Successfully represented national mortgage company in a complex bankruptcy adversary proceeding (Tampa, Florida);
- Obtained six of the highest settlements in U.S. history against a religious organization involving sexual abuse claims (Dallas, Texas) (settlement range: \$500,000.00 to \$2,950,000.00)
- Obtained \$1,500,000.00 verdict in Racketeering Influenced Corrupt Organizations Act ("RICO") case (N.D. Texas);

¹ Because professionalism matters. TMCA credential holders meet specific training, continuing education and experience requirements. Credential holders are bound by a mandatory Code of Ethics and a grievance process. The TMCA credential demonstrates the mediator's commitment to delivering quality mediation services. See www.txmca.org/index.html

- Obtained \$3,300,000 jury verdict on behalf of Plaintiff in stock put agreement litigation (Northern District of Texas);
- First Chaired dozens of jury trials (including at least five cases taking over five weeks to try to verdict);
- Taken hundreds of depositions and handled an untold number of hearings;

DISTINCTIONS

- Texas Super Lawyer for the past 15 years (Thompson Reuters, Texas Monthly)
- Top 100 Trial Lawyers (National Trial Lawyers, 2013 & 2014)
- Best Lawyer, Best Law Firms; (U.S. News & World Report, 2013 & 2014)
- Best Lawyers in America (Best Lawyers in America 2013 & 2014)
- Best Attorneys in Texas (Best Lawyers 2015)
- Martindale-Hubble recognition as AV Preeminent lawyer for 30 years;
- Examiner for the State Bar of Texas, Board of Legal Specialization, Civil Trial Examination for twelve years writing and grading examinations for attorneys in Texas seeking to become Board Certified in Civil Trial Law.

EDUCATION

West Virginia University College of Law, Morgantown, WVa.

- J.D. 1976;
- Awarded distinction of Graduating Senior Contributing Most to Overall Legal Scholarship;
- Law Review (published three articles);
- Moot Court Team

West Virginia University, Morgantown, W.Va.

- BS 1973;

- *Magna Cum Laude*
- Debate Scholarship Recipient all Four years;
- First Seed Debate Team – Four years;
- President, Political Science Honorary

EMPLOYMENT

- Law Clerk to the Honorable John A. Field, Jr., Senior United States Circuit Judge for the Fourth Circuit Court of Appeals, 1976-1977;
- Associate, Hughes, Luce, Hennessy, Smith and Castle (now K&L Gates), 1977-1978;
- Kelsoe & Ayres, 1978-1980;
- Opened own practice in 1980 and have been head of various firms since 1980.

PUBLICATIONS AND SPEECHES

Attorney-Client Privilege in Civil Litigation, Protecting and Defending Confidentiality (Fourth Edition), Author of Chapter 6, American Bar Association, 2008.

A Defense Perspective Interview with Michael F. Pezzulli; RICO Drug Enforcement Newsletter; December 1989.

Advanced Creditor's Rights Course Deficiency Suits; prepared for the "Advanced Creditors' Rights Course" sponsored by the State Bar of Texas, Vol. 2.

An Ill Wind Blows Into Town?: U.S. Supreme Court Rules That State Courts Have Concurrent Jurisdiction Over Rico Claims; Dallas Bar Association Business Litigation Seminar; April 10, 1990.

A Practical Guide to Presenting and Defending Spoliation of Evidence Case; July 31, 1988; ABA Annual Meeting/Tort & Insurance Section; Toronto Canada.

Attorney-Client Privilege in Civil Litigation, Protecting and Defending Confidentiality (Third Edition), Author of Chapter 18, American Bar Association, 2004.

Crimes, Criminals, and Civil Litigators or Will the Real Defendant Please Stand Up?; Dealing with Regulatory and Criminal Fall Out; August 2002; Chapter 4.

Criminal Law and Civil Litigators: A Review of Three Little Known Federal Statutes and Their Potential Application to Attorneys; Litigation Update 1992; San Antonio.

Debtor's and Creditor's Rights Attachment and Garnishment Constitutional Parameters of Prejudgment Remedies; West Virginia Law Review; Vol. 78, Number 1.

Defenses to Deceptive Trade Practice Claims; Advanced DTPA Consumer Law Course; May 1989; State Bar of Texas.

Direct and Cross-Examination of a Psychologist in a Psychological Injury Case; Southern Methodist University Products Liability Institute; 1988.

Foreclosure Documents Lien Documents; Notices; Sale Documents; Deficiency Suits; Collections: Drafting Documents for a Collections Practice; October 1991.

Introduction and Use of Experiments and Other Forms of Demonstrative Evidence Including Computer Generated Evidence; Southern Methodist University Products Liability Institute; Chapter 6, 1987.

It's Like Banging Your Head Against A Brick Wall: Representing Troubled Financial Institutions Against The Federal Government; 3rd Annual Advanced DTPA/Consumer Law Course; May 4-5, 1990; San Antonio, Texas.

Loans, Collateral & Repossession; Comprehensive Consumer Law Seminar; Houston; August 26-27, 1994.

New Approaches to Presenting Evidence in Commercial Litigation; Emerging Trends in Texas Evidence: Federal and State Developments; March 1989.

Parallel Prosecution of Civil and Criminal Proceedings

Pretrial and Trial Publicity Ethics, Practicality and Ambiguity; "Learning from the

Masters", Dallas Bar Association; September 10, 1993.

Punching The Tar Baby Ramifications For Failing To Defend Insured's; Prepared For The State Bar Of Texas; Professional Development Program.

Real Estate Foreclosure Litigation and its Bankruptcy Implications; Advanced Civil Trial Course Litigation; July 1987; Vol. 1.

Selection of Testifying and Consulting Experts The Importance of Federal Rule of Civil Procedure 26(b) (4); Southern Methodist University Products Liability Institute; Chapter 5; 1988.

Suits and Estates: Commercial Defenses; 5th Annual Creditors' Right Course, April 1990.

Tactical Use of Discovery and Claims of Privilege as a Sword and a Shield; Advanced Evidence and Discovery Course 1990-1991; State Bar of Texas Professional Development Program.

Technique and Strategies for Representing Client in Civil Rico Action; 7th Annual Advanced Civil Litigation Institute; South Texas College of Law; 1989.

The Court's Charge in DTPA Cases; Consumer Law Seminar; February 12, 1988.

The Emerging Damages Issues in Nursing Home and other Geriatric Personal Injury Cases; April 1992; Southern Methodist University School of Law; Personal Injury and Products Liability Symposium.

UCC and Real Property Foreclosures, Practice Skills Course; Professional Development Program; State Bar of Texas.

"We'll Know It When We See It": The Concept Of Good Cause For Failure To Supplement Discovery Responses Under The Texas Rules Of Civil Procedure; State Bar of Texas Advanced Civil Discovery Course; 1989.

Presenter, Marie Curie-Sklodowska University, Lublin, Poland Trial Advocacy demonstration organized by The Honorable John McClellan Marshall, March 1996.

COMMUNITY INVOLVEMENT

- Awarded Honorary Green Beret by the Department of the Army, 2013;
- Squadron Commander, Civil Air Patrol Squadron TX 295, McKinney, Texas, 2010-2013;
- Served on Town Council. Town of Fairview, Texas, 2002-2010.