

### Michael Merriman

Mike's legal career has focused on taking complex cases to trial. His docket regularly includes all types of business disputes, including prosecuting and defending lawsuits for technology companies, governmental entities, oil and gas companies and government contractors. For the last 12 years, Mike has tried jury trials and arbitrated disputes in Texas and around the country.

Prior to returning to his home state of Texas in 2013, Mike served as an Assistant United States Attorney ("AUSA") at the U.S. Attorney's Office for the Southern District of California. As an AUSA in the Major Frauds and Special Prosecutions Section, Mike prosecuted a wide range of complex matters, including public corruption, Foreign Corrupt Practices Act violations (related to a Fortune 500 Company), wire fraud and mortgage fraud. Mike also tried five cases to verdict and argued in front of the Ninth Circuit Court of Appeals.

From 2005-2008, Mike was an associate at Bartlit Beck Herman Palenchar & Scott, a trial-based national litigation boutique in Chicago. At the firm, he participated in two jury trials and one arbitration.

After graduating from Stanford Law School, Mike served as a law clerk at the U.S. District Court for the Northern District of California for the Honorable Susan Y. Illston.

### Representative Matters

Represented quasi-governmental entity in series of breach of contract lawsuits with wholesale electricity customers.

Defended an oil and gas company in various royalty disputes, including disputes involving unique lease language.

Represented software company in breach of contract



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#### RELATED PRACTICE AREAS:

- Business Torts
- Civil Litigation
- Commercial Litigation
- Oil & Gas
- Oil & Gas Natural Resources and Energy Litigation
- Personal Injury and Products Liability
- Public Utilities
- White Collar Defense and Government Investigations

disputes.

Group

Received full defense arbitration award for oil and gas company in dispute with surface use owner after a contested arbitration hearing.

Defended limited partnerships in lawsuit brought by limited partners involving breach of fiduciary duty claims.

Represented real estate developer in dispute with partner.

Representative Matters prior to joining Scott Douglass & McConnico

Served as the lead prosecutor for one of the largest public corruption cases in the Southern District of California, which involved complex investigative techniques, such as Title III wiretap interceptions, numerous undercover operations, video surveillance, trap and trace devices, and eight search warrants (*U.S. v. Bean et al.*, 12CR1852-CAB).

Successfully prosecuted two attorneys—including an internationally-renowned surrogacy attorney—for creating an international baby-selling ring and deceiving San Diego County judges with false pleadings (*U.S. v. Erickson*, 11CR3372-AJB; *U.S. v. Neiman*, 11CR3247-AJB).

Defended Ernst & Young in multi-week AAA arbitration hearing that resulted in complete defense verdict.

Defended Federal Signal Corporation in multi-week jury trial for mass tort claims that resulted in complete defense verdict.

Represented Bayer Corporation in lawsuit involving patent infringement and breach of contract claims.

**Bar Admissions & Activities**

Admitted to the State Bar of Texas, State Bar of California, the U.S. District Courts for the Eastern, Northern, Southern, and Western Districts of Texas, the U.S. District Courts for



the Northern and Southern Districts of California, and the Ninth Circuit Court of Appeals.

Member, Civil Litigation Section, Austin Bar Association

Member, Austin Young Lawyers' Association

### **Education**

Stanford Law School, J.D. (with distinction) 2004

Boston University, B.A. (European History) and B.S. (Broadcast Journalism) (summa cum laude) 2000

### **Articles & Presentations**

As an AUSA, Mike conducted press conferences for television and print media. He also appeared on NBC's "Today" show and the Canadian Broadcasting Company's "As It Happens" radio show.