

### Michael Merriman

Mike has tried jury trials and arbitrated disputes all over the country, including Texas, California, Illinois and Washington. His docket regularly includes prosecuting and defending lawsuits for technology companies, governmental entities, oil and gas companies and government contractors.

From 2008-2013, Mike served as an Assistant United States Attorney (“AUSA”) at the U.S. Attorney’s Office for the Southern District of California in the Major Frauds and Special Prosecutions Section. He 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. As an AUSA, Mike regularly conducted press conferences for television and print media, and appeared on NBC’s “Today” show and the Canadian Broadcasting Company’s “As It Happens” radio show.

Prior to becoming an AUSA, Mike participated in two jury trials and one arbitration as an associate at Bartlit Beck Herman Palenchar & Scott, a trial-based national litigation boutique in Chicago.

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

Defended Central Texas Regional Mobility Authority in an APA/NEPA challenge to State Highway 45 Southwest and MoPac South.

Represented an oil and gas company in disputes with working interest owners, which included claims related to gas



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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

gathering agreements and fees.

Group

Represented an international employment-related search engine in third-party proceedings in federal courts across the country.

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 a California software company in breach of contract disputes.

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.

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

### **Education**

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

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