

R. Paul Yetter

Founding Partner. Admitted to Bar, 1984, Texas. Licensed to practice in all state and federal courts in Texas, the U.S. Third, Fifth, Eighth, and Eleventh Circuit Courts of Appeals, and the U.S. Supreme Court.

Education: Columbia Univ. (J.D., 1983); Member, Law School Dean's Council (2008-present); Member, Steering Committee, Law School Board of Visitors (2002-08). Univ. of Texas at El Paso (B.A. Bus., 1980); Member, Leadership Council (2008-present); Advisory Board, Law School Preparation Institute (2011-present)

Prior Employment: Partner, Baker Botts LLP; Law Clerk to Hon. John R. Brown, U.S. Court of Appeals for the Fifth Circuit.

Honors and Awards: Honoree, "Texas Attorney of the Year," *Texas Lawyer*, 2016; Honoree, "Top Ten Winning Lawyers," *Nat'l Law J.*, 2004; *Best Lawyers in Am.* (Comm. Litig., Antitrust Litig., Securities Litig., Intellectual Property Litig.); *Chambers USA: America's Leading Business Lawyers* in Litigation: General Comm. Fellow, Int'l Society of Barristers. Advocate, American Board of Trial Advocates. Honoree, "Super Lawyer" (Bus. Litig.), Top 100 Texas Att'ys, *Texas Monthly*. Recipient, Presidential Citation, for service to the State Bar, 1996. Honoree, Distinguished Alumnus, Univ. of Texas at El Paso, 2008; Distinguished Alumnus, College of Bus., Univ. of Texas at El Paso, College of Bus., 2005.

Certifications: Texas Board of Legal Specialization, Civil Trial Law (1990-present) and Personal Injury Trial Law (1990-2000).

Bar and Related Activities: Chair, Alliance for Judicial Funding, Inc., 1996-present (nonprofit organization that assists the legislative efforts of the Texas state judiciary). Chair, Tex. Judicial Foundation, 2008-present (nonprofit organization that funds Texas state judicial education). Member, Committee on Admissions, U.S. Southern District of Tex., 2000-2012. Chair, State Judiciary Relations Committee, 1995-96 (for which service he received the Bar's Presidential Citation award). Member, Funding Parity Task Force, Tex. Commission on Judicial Efficiency, 1995-97. Member *Ex Officio*, Contributions Committee, Tex. Center for the Judiciary, Inc., 1998-2000 (raising funds to study feasibility of state-of-the-art judicial education complex). Member *Ex Officio*, Judicial Selection Task Force, Tex. Commission on Judicial Efficiency, 1995-97 (created to decide the best method for selecting state judges). Consultative Group, Task Force on Court's Charge, Supreme Court of Texas, 1992. Fellow, Tex. Bar Found., Houston Bar Found. Research Fellow, Center for American and Int'l Law.

Publications: "Antitrust," *Texas Bus. Litig.*, Chap. 2 (2016 ed.); "Five Ways to Win Patent Litig.," *GE Oil & Gas Views & News*, 2012 (co-author); "The Evolution of Forum-Selection-Clause Enforcement," *73 Tex. Bar J.* 274 (2010); "Trial Myths That Threaten Good Advocacy," *25 Tex. Lawyer* 29 (2009); "Litigating the Big Document Case," *20 Trial Diplomacy J.* 273 (1997); "Forum Selection Clauses," *56 Tex. Bar J.* 554 (1993); "DTPA Exposure," *5 Tex. Real Estate L. Rep.* 61 (1990).

Reported Cases: *Marshall v. Maropco, Inc.*, 2016 WL 6820391 (S.D. Tex. 2016); *Richardson v. Wells Fargo Bank, N.A.*, 839 F.3d 442, 455, 2016 WL 6068120, at *11 (C.A.5 (Tex.), 2016); *Yujie Ren v. ANU*

Resources, LLC, 2016 WL 5342798 (Tex. App. 2016); *MM Steel, L.P. v. JSW Steel (USA) Inc.*, 806 F.3d 835, (5th Cir. 2015); *M.D. v. Abbott*, 2:11-CV-84, 2015 WL 9244873 (S.D. Tex. Dec. 17, 2015); *L.C. Eldridge Sales Co., Ltd. v. Jurong Shipyard Pte., Ltd.*, 610 Fed. Appx. 1015 (Fed. Cir. 2015); *Legacy Separators LLC v. Halliburton Energy Services Inc.*, 2016 WL 3017140 (S.S. Tex. 2016), 2015 WL 5093442 (S.D. Tex. 2015); *SPV OSUS Ltd. V. UBS AG*, 2015 WL 4394955 (S.D.N.Y. 2015); *Murphree v. Godshall*, 2014 WL 4782936 (S.D. Tex. 2014); *Sisoian v. International Business Machines Corp.*, 2014 WL 4161577 (W.D. Tex. 2014); *Simulis, L.L.C. v. General Electric Capital Corp.*, 439 S.W.3d 571 (Tex. App. 2014); *MatlinPatterson Global Opp. Partners L.P. v. Deutsche Bank Secs., Inc.*, 2014 WL 2050237 (Tex. App. 2014); *MM Steel, LP v. Reliance Steel & Alum. Co.*, 2014 WL 1167489 (S.D. Tex. 2014), 2013 WL 6588836 (S.D. Tex. 2013); *Bear Ranch, LLC v. HeartBrand Beef, Inc.*, 2015 WL 5178120 (S.D. Tex. 2015), 2014 WL 1052515 (S.D. Tex. 2014), 2013 WL 4520425 / 6190253 (S.D. Tex. 2013); *Bourret v. Aspect Mgmt. Corp.*, 2013 WL 6334950 / 6073637 (D. Colo. 2013); *In re Wells Fargo Wage & Hour Empl. Prac. Litig.*, 2014 WL 1882642 (S.D. Tex. 2014), 2013 WL 2180014 (S.D. Tex. 2013), 2012 WL 3308880 (S.D. Tex. 2012); *L.C. Eldridge Sales Co. v. Azen Mfg. Pte. Ltd.*, 2013 WL 7964003 / 7964028 / 7964065 / 7937026 / 2285749 / 2285746 (E.D. Tex. 2013); *Port of Houston Auth. v. Aaron*, 416 S.W.3d 708, 415 S.W.3d 355 (Tex. App. 2013); *Chocolate Prescription, LLC v. Nimbor Inc.*, 2013 WL 1187276 (N.D. Tex. 2013); *Berge Helene, Ltd. v. GE Oil & Gas, Inc.*, 2012 WL 4510525 (S.D. Tex. 2012), 2011 WL 3567938 (S.D. Tex. 2011); *Am. Airlines, Inc. v. Travelport Ltd.*, 2012 WL 4762034 / 3737037 (N.D. Tex. 2012), 2011 WL 3290366 / 3290383 (N.D. Tex. 2011); *M.D. v. Perry*, 294 F.R.D. 7 (S.D. Tex. 2013), *vacated & remanded*, 675 F. 3d 832 (5th Cir. 2012) 2012 WL 974878, 799 F.Supp.2d 712 (S.D. Tex. 2011), 2011 WL 2173673 / 7047039 (S.D. Tex. 2011); *Neon Enterprise Software, LLC v. Int'l Business Machines Corp.*, 2011 WL 830737 / 2036674 / 2964796 (W.D. Tex. 2011); *Simulis, LLC v. GE Capital Corp.*, 2011 WL 505334 (Tex. App. 2011) 2008 WL 1747483 (Tex. App. 2008); *Nat'l Oilwell Varco, LP, v. Hydril Co., LP*, 2011 WL 467119 (S.D. Tex. 2011), 2011 WL 3873860 (Fed. Cir. 2011); *W.L. Gore & Assocs., Inc. v. BHA Group, Inc.*, 2010 WL 761084 (Del. Ch. 2010); *Transcom Enhanced Svcs., Inc. v. Qwest Corp.*, 2010 WL 2505606 (N.D. Tex. 2010); *Alewine v. City of Houston*, 2010 WL 1373589 (Tex. App. 2010); *Doctors Hosp. v. Beazley Ins. Co.*, 2009 WL 3719482 (S.D. Tex. 2009) 2009 WL 205859 (5th Cir. 2009); *In re VistaPrint Corp. Mktg. & Sales Practices Litig.*, 2009 WL 2884727 (S.D. Tex. 2009); *Centre One v. Vonage Holdings Corp.*, 2009 WL 2461003 (E.D. Tex. 2009); *True v. Robles*, 571 F.3d 412 (5th Cir. 2009); *In re Today's Destiny, Inc.*, 2009 WL 1232108 (Bankr. S.D. Tex. 2009); *Frequent Flyer Depot, Inc. v. Am. Airlines, Inc.*, 281 S.W.3d 215 (Tex. App. 2009); *Canatxx Energy Ventures, Inc. v. GE Capital Corp.*, 2008 WL 4601691 (5th Cir. 2008); *Pocahontas Mining LLC v. CNX Gas Co.*, 666 S.E.2d 527 (Va. 2008); *Veldekens v. GE HFS Holdings, Inc.*, 2008 WL 4425363 (S.D. Tex. 2008); *McAfee, Inc. v. Wilmer Cutler Pickering Hale and Dorr LLP*, 2008 WL 3852704 (E.D. Tex. 2008); *Med-IM v. GE Capital Corp.*, 2008 WL 901489 (S.D. Tex. 2008); *Swank v. Cunningham*, 258 S.W.3d 647 (Tex. App. 2008); *Am. Airlines, Inc. v. Biztraveldeals.com*, 2008 WL 818536 (N.D. Tex. 2008); *Dell, Inc. v. This Old Store, Inc.*, 2007 WL 1958609 (S.D. Tex. 2007); *In re Doctors Hosp. 1997 LP*, 351 B.R. 813 (Bankr. S.D. Tex. 2006); *TravelJungle v. Am. Airlines, Inc.*, 212

S.W.3d 841 (Tex. App. 2006); *Friese v. Sup. Ct.*, 36 Cal. Rptr. 3d 558 (Cal. App. 2005), *cert. denied*, 127 S.Ct. 138 (2006); *McNamara v. Felderhof*, 410 F.3d 277 (5th Cir. 2005); *In re CenterPoint Energy, Inc.*, 2005 WL 1531827 (Tex. App. 2005); *Lushann Energy Int'l Inc. v. GE Energy Rentals, Inc.*, 2004 WL 1899795 (Tex. App. 2004); *Southwest Airlines Co. v. FareChase, Inc.*, 318 F. Supp. 2d 435 (N.D. Tex. 2004); *Kvaerner U.S., Inc. v. Equatorial Tonopah, Inc.*, 130 P.3d 697 (Nev. 2003); *Sabre Inc. v. Am. Airlines, Inc.*, 2003 WL 21476280 (Tex. App. 2003); *Kvaerner U.S., Inc. v. Merita Bank PLC*, 732 N.Y.S.2d 215 (App. Div. 2001); *McNamara v. Bre-X Minerals Ltd.*, 214 F.R.D. 424, 197 F. Supp. 2d 622 (E.D. Tex. 2001-02), 57 F. Supp. 2d 396, 46 F. Supp. 2d 628, 32 F. Supp. 2d 920 (E.D. Tex. 1999); *Newby v. Enron Corp.*, 206 F.R.D. 427, 188 F. Supp. 2d 684 (S.D. Tex. 2002); *Cleveland v. Viacom, Inc.*, 166 F. Supp. 2d 535 (W.D. Tex. 2001); *Paraschos v. YBM Magnex Int'l, Inc.*, [2000] Fed. Sec. L. Rep. (CCH) ¶ 90,923 (E.D. Pa. 2000); *Solv-Ex Corp. v. Quillen*, 186 F.R.D. 313 (S.D.N.Y. 1999); *Antoine-Tubbs v. Transport Workers Union*, 50 F. Supp. 2d 601 (N.D. Tex. 1998); *In Re Kimball Hill Homes Tex., Inc.*, 969 S.W.2d 522 (Tex. App. 1998); *Glazer v. Pasternak*, 693 A.2d 319 (Del. 1997); *Service Corp. Int'l v. Loewen Group, Inc.*, 1997-1 Trade Cases ¶71,688 (S.D. Tex. 1996); *One Call Sys., Inc. v. Houston L&P Co.*, 936 S.W.2d 673 (Tex. App. 1996); *Kern v. Robert Currie Assoc.*, 632 N.Y.S.2d 75 (App. Div. 1995); *Houston L&P Co. v. Atchison, Topeka & Santa Fe Ry.*, 890 S.W.2d 455 (Tex. 1994); *Wann v. Am. Airlines, Inc.*, 878 F. Supp. 82 (S.D. Tex. 1994); *Data Broadcasting Corp. v. Tele-Comm'ns, Inc.*, 1992-2 Trade Cases ¶ 70,050 (S.D.N.Y. 1992); *Andrews v. Houston L&P Co.*, 820 S.W.2d 411 (Tex. App. 1992); *Justin Indus., Inc. v. Choctaw Sec., L.P.*, 920 F.2d 262 (5th Cir. 1990); *Hernandez v. Houston L&P Co.*, 795

S.W.2d 775 (Tex. App. 1990); *Culpepper v. Coker*, 769 S.W.2d 373 (Tex. App. 1989); *J.B.J. Dist., Inc. v. Jaikaran*, 744 S.W.2d 379 (Tex. App. 1988); *Gibbs v. King*, 779 F.2d 1040 (5th Cir. 1986).

Teaching: “Initiating Litigation,” State Bar of Tex., 2015; “The Art of Business Litigation,” *Texas Lawyer*, 2014-15 (Antitrust Panelist); “Antitrust Chapter,” *Texas Business Litigation*, ALM Media, 2014; “The Impact of Wal-Mart v. Dukes on Employment Law Class Actions and FLSA Collective Actions,” State Bar of Tex. (2013); “Entering the Sixth Dimension: An Area Called ‘The Insolvency Zone,’” Rocky Mountain Mineral Law Inst. (2009); “Expert Challenges in Commercial Litig.,” Tex. Assoc. of Defense Counsel (2006); “Post-Verdict Collection Steps,” Adv. Civil Litig., Univ. of Houston Law Found. (2005); “Plaintiff Cases,” GE Litig. Practice Group Annual Meeting (1999); “The Future of Am. Class Actions,” Canadian Trial Lawyers Ass’n Annual Meeting (1998); “Cutting Edge Deposition Strategies,” Adv. Civil Trial Law Conf., S. Texas College of Law (1998); “Top Leasing and Tortious Interference,” Adv. Oil, Gas & Mineral Law Course, State Bar of Tex. (1996); “From Texaco to CBS: Ten Years of Tortious Interference Issues,” Price Waterhouse General Counsel Forum (1996); “Litigating the Big Document Case,” Litig. and Trial Tactics, Univ. of Houston Law Found. (1994-96); “Choice of Law, Consent to Forum, and Enforceability of Foreign Judgments,” Doing Bus. in the New Tex., State Bar of Tex. Ann. Meeting (1992); “Preservation of Error,” Damages & the Court’s Charge, Houston Bar Ass’n (1991); “Principles of Claims Investigation,” Southwest Elec. Claims Exchange (1991); “Work Product & Privilege,” Adv. Civil Discovery, Univ. of Houston Law Center (1991); “DTPA Exposure: Can You Keep Your Clients From Being Burned?,” Real

Estate Law Institute, S. Tex. College of Law (1990); “How to Handle a DTPA Lawsuit,” DTPA & Consumer Law Institute, Univ. of Houston Law Center (1989-90); “Business Torts: Tortious Interference to Trade Secrets & Unfair Competition,” Adv. Bus. Litig. Short Course, S. Tex. College of Law (1987); “The World of Business Litig.,” Evidence in Bus. Litig., State Bar of Tex. (1986).