

Heriberto R. Montalvo

ASSOCIATE

hmontalvo@yettercoleman.com
713.632.8023



Credentials

- Baylor University School of Law
J.D.
Technical Editor, *Baylor Law Review*
- The University of Texas
B.B.A.
- Admitted to practice:
Texas
U.S. District Court for the Southern and
Eastern Districts of Texas
U.S. Court of Federal Claims

Herbie's practice focuses on complex commercial litigation, with experience that includes representing clients before courts and arbitration tribunals in a broad spectrum of contract disputes, trade secrets litigation, oil and gas litigation, and tort/product liability suits.

Herbie is well-versed in all aspects of discovery and motion practice, including taking and defending depositions, developing experts, and arguing dispositive motions. Over the first five years of his practice, Herbie has second-chaired three jury trials and aided several other trial teams with all aspects of trial preparation.

Herbie also maintains an active pro bono practice, primarily representing undocumented immigrant children in family, juvenile, and immigration courts in partnership with Kids in Need of Defense (KIND). In 2019, Herbie was recognized by Chevron for his work in assisting two immigrant children achieve special immigrant juvenile status.

Prior to joining the firm, Herbie practiced with Munsch Hardt Kopf and Harr, P.C. and Reed Smith LLP in Houston.

Experience

- Represented a Fortune 100 energy company in a three-week confidential CPR final arbitration hearing asserting breach of warranty claims in excess of \$100 MM against a product and service provider.
- Defended a Fortune 100 energy company in a confidential AAA arbitration against breach of contract and theft of trade secret claims in excess of \$850 MM.
- Defended a global oil and gas company in a confidential ad hoc arbitration arising from a contract dispute related to the reimbursement of costs allegedly incurred under an agreement to operate a petrochemical facility.
- Defended a global energy company in a breach of contract dispute arising from the performance
- Defended the NCAA in the nation's first ever chronic traumatic encephalopathy (CTE) case to go to trial.

Professional Honors & Affiliations

- “One to Watch” in Personal Injury Defense, 2023; Commercial Litigation, 2023, *Best Lawyers in America*
- State Bar of Texas, Pattern Jury Charge Oil and Gas Committee, 2020-Present; Advisory Member, 2018-2019
- Houston Baylor Lawyer Network, Steering Committee, 2020-Present
- Houston Bar Association
- Houston Young Lawyers Association
- Pro bono Attorney, Kids in Need of Defense (KIND)