



## Frank W. Mitchell

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### PRACTICE AREAS

- Catastrophic Injury
- Commercial Litigation
- Environmental and Toxic Tort
- Product Liability Litigation
- Professional Liability Litigation



### OF COUNSEL

Twenty-five years experience representing both individuals and businesses in a variety of complex personal injury and commercial cases. A number of these cases have involved complex jurisdictional and international issues including litigation for and against business entities based in Africa, Asia and Europe. Areas of specialty

have included commercial litigation, oil and gas litigation, medical malpractice litigation, products liability actions, contract disputes, antitrust litigation, environmental litigation, and insurance disputes.

### REPRESENTATIVE CASES/EXPERIENCE

- Worked on a number of complex insurance coverage cases. Cases have typically involved questions of policy interpretation, bad faith, liability coverage defenses, and statutory interpretation.
- Worked on multi-million cases involving superfund sites and other cases involving environmental pollution or exposure.
- Handled multiple appeals in both state and federal courts involving a variety of complex civil cases.
- Represented company who brought suit against a defendant that attempted to monopolize a national market. Case evolved into a litigation war that was engaged in state and federal suites filed in three states, administrative proceedings in both Texas and Washington D.C. and appellate proceedings in the Fifth Circuit. Case was resolved by a \$30 million dollar settlement.
- Represented a Houston off-shore drilling company in a commercial case brought against a major oil company. Case involved complex jurisdictional issues, parallel cases pending in both England and Texas, competing anti-suit injunctions in two different cases, economic and market issues, and complicated engineering and construction issues. Case was ultimately resolved favorably for \$175 million dollars.
- Involved in a number of multi-million dollar personal injury cases, including wrongful death, product's liability, professional malpractice, dram shop cases, and a variety of cases involving catastrophic injury or death



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#### PROFESSIONAL ACTIVITIES AND HONORS

- Briefing Attorney for the Texas Supreme Court (1984-85)
- Adjunct Law Professor, University of Houston Law School, 1987-1988
- CLE Lecturer on a number of complex Legal Topics (1986-present)

#### PROFESSIONAL MEMBERSHIPS AND AFFILIATIONS

- Member, State Bar of Texas
- Board certified as a Civil Trial Lawyer in Texas
- American Board of Trial Advocates
- American Bar Association
- Texas State Bar, Member of Pattern Jury Charge Committee, (Commercial Cases), 1987-91

#### ADMISSIONS TO PRACTICE

- State Bar of Nevada
- State Bar of Texas
- U.S. District Court, District of Nevada
- U.S. District Court, Southern and Eastern Districts of Texas
- U.S. Court of Appeals, Fifth Circuit

#### EDUCATION

- B.A., University of Utah, 1979
- M.A., Wake Forest University, 1981
- J.D., *cum laude*, Baylor University, 1984

#### SPEECHES

- Panelist, "Civility Matters," American Board of Trial Advocates (November 3, 2011).