

## MICHAEL S. TRUESDALE

Barron & Newburger, P.C.

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### *Austin Office*

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### **Employment History**

Barron & Newburger, P.C., shareholder, emphasis on state and federal appeals, legal ethics (2023-present)

Enoch Keever PLLC, of counsel, emphasis on state and federal court appeals and error preservation (2017-2023)

Law Office of Michael S. Truesdale, PLLC, solo appellate practitioner (2010-17)

University of Texas School of Law, Fall Litigation Institute Faculty Member (2011-14)

Diamond McCarthy LLP, emphasis on appeals from complex civil matters (2000-10)

Hughes & Luce, LLP, emphasis on Texas state court civil appeals (1995-2000)

Supreme Court of Texas, Briefing Attorney (1994-95)

Texas Tech University, Lecturer, Debate Coach (1988-91)

### **Education**

Texas Tech School of Law, J.D. (1994) magna cum laude

Texas Tech Law Review: Managing Editor, Outstanding Third Year Student

Advocacy: ABA National Moot Court Champion, Board of Barristers, Order of Barristers

Academics: Order of the Coif, American Jurisprudence Award, Appellate Advocacy

Professionalism: Recipient of the George and Sarah Dupree Award, given annually "To the member of the graduating class who, in the opinion of his colleagues, best exemplifies the ability, the integrity, and sense of professional responsibility desired in one soon to join the legal profession."

Texas Tech University, M.A., (1990) English, Communication Studies

Thesis: *Reagan's Rhetoric: A Dramatistic Analysis of Reagan's First Inaugural Address*

Conference Presentations:

"A Reappraisal of a Holistic Resolutional Focus" (ACA, Chicago 1990)

"Burke, Aristotle, and Presidential Discourse" (SCA/ACA, Alta, Utah, 1989)

Extracurricular: Texas Tech Rugby Football Club

Texas Tech University, B.A., (1988) English, Economics, cum laude and in Honors Studies

Honors Council (President), Debate Team (President), Mortar Board

### **Professional Activities/Service**

Oregon State Bar, House of Delegates, Representative, District 8 (2024)

Oregon State Bar Appellate Section, Executive Committee (2024)

State Bar of Texas Commission for Lawyer Discipline (2019-present, vice-chair 2023-25)

Texas Lawyers Assistance Program (2022-present, volunteer)

State Bar of Texas Appellate Section, Chair (2017-18); Council (2004-07); Chair Pro Bono Committee (2009-16)

- Speaker at various national conferences on appellate pro bono programs
- Instrumental in expanding pro bono programs to intermediate courts of appeals
- Instrumental in drafting "Petition for Review" templates and instructions for use by pro se litigants in conjunction with the Supreme Court of Texas
- Matched numerous pro se litigants with pro bono volunteers at the Supreme Court and intermediate appellate court level
- Served as pro bono counsel for parties in appellate court proceedings at the Supreme Court and intermediate appellate court level

Supreme Court of Texas, Program Liaison, Pro Bono Program (2011-2022)

Travis County Bar Association, Civil Appellate Section, Chair (1999-2000)

Inns of Court: Barbara Jordon Inn (Executive Committee, team leader); Lloyd Lochridge Inn (team leader); Robert Calvert Inn (team leader) (1995-2023 with some gap years)

### **Certifications, Honors and Awards**

Board Certified, Civil Appellate Law, Texas Board of Legal Specialization (2008-present)

AV Preeminent Peer View Rated by Martindale Hubbell (2005-present)

Thompson Reuters Texas Super Lawyer (2009-present), Rising Star (2004-07), Appellate Law

Daniel R. Benson Public Service Award, Texas Tech School of Law (2015), recognizing

"an alumni who has demonstrated significant and substantial contributions to furthering ideals of public service in the law."

### **Court Licenses**

United States Supreme Court

United States Courts of Appeals for the Second, Third, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, and Federal Circuits

United States District Courts for the Northern, Southern, Western and Eastern Districts, Texas

United States District Court for the District of Oregon

Texas State Courts

Oregon State Courts

### **Court Appearances**

Mr. Truesdale has appeared as lead or co-counsel in over 150 cases before the United States Supreme Court, federal appellate courts for the Third, Fifth, Sixth, Seventh, Ninth, Eleventh and Federal circuits, the Supreme Court of Texas, the majority of the fourteen Texas courts of appeals, and other state appellate courts. He also appears in trial courts across the state and nation to preserve appellate arguments arising in high-stakes trials. He has led trial court proceedings involving complex anti-trust matters in federal court and has been substantially involved in federal district court proceedings across the country. He has argued before the Fifth (New Orleans and Houston), Sixth (Cincinnati, via Zoom), Seventh (Chicago), and Federal (Washington, D.C.) Circuits, the Supreme Court of Texas, the majority of Texas intermediate courts (Amarillo, Austin, Dallas, Eastland, El Paso, Dallas, Fort Worth, Houston (1<sup>st</sup>), Houston (14<sup>th</sup>), San Antonio, Texarkana), and the Michigan court of appeals (Lansing). He has also briefed appeals before the Third, Ninth, and Eleventh Circuit Courts of Appeals, numerous bankruptcy cases in the United States Bankruptcy Courts in Austin, Chicago, Miami, Fort Lauderdale, Fort Worth, and Dallas, as well as in state court appeals in California.

### **Recent Publications/Presentations**

Mr. Truesdale has written book chapters on federal and state class action practices, law review articles on appellate procedure and practice, journal articles providing updates on Texas Supreme Court decisions, appellate court internal operating procedures, and the Texas grievance process, and has given numerous national and state CLE presentations on topics including ethics and grievances, the creation and implementation of local and state-wide appellate pro bono programs, and substantive matters ranging from bad faith insurance claims, exemplary damages, jury instructions, arbitration, and other issues of importance to trial and appellate practitioners. He was interviewed for the Texas Appellate Law Podcast in 2021, and was a speaker on a 2023 webinar in support of the Texas Lawyers Assistance Program. A comprehensive list of his publications and presentations is linked here.

### **Miscellaneous**

Austin Partners in Education, Mentor (2007-15)

Boy Scouts of America, Pack 2, Den 9 Leader (2007-2010)

Reading is Fundamental Austin, Volunteer and Board Member (2001-2006)

Anderson High School Debate Volunteer (2010-2014)

North Austin Soccer Association, Coach "Team Cavemen" (2006-08)

Enthusiastic (not fast) long distance cyclist (RAGBRAI, Hotter'n Hell 100, etc.)

Austin Huns Rugby (social member)