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R. Paul Yetter

Partner. Born August 5, 1958 in Milwaukee, Wisconsin. Admitted to Bar, 1984, Texas. Licensed to practice in all state and federal courts in Texas, the U.S. Third, Fifth, and Eleventh Circuit Courts of Appeals, and the U.S. Supreme Court.

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

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

Bar and Related Activities: Member, State Bar of Texas (Chair, State Judiciary Relations Committee, 1995-96). Chair, Alliance for Judicial Funding, Inc., 1996-present (nonprofit organization that assists the legislative efforts of the Texas state judiciary). Trustee, Texas Judicial Foundation, 2008 (funds state judicial education programs). Member *Ex Officio*, Contributions Committee, Texas Center for the Judiciary, Inc., 1998-00 (nonprofit judges organization, raising funds to study feasibility of state-of-the-art judicial education complex). Member, Committee on Admissions, U.S. Southern District of Texas, 2000-present. Member, Funding Parity Task Force, Texas Commission on Judicial Efficiency, 1995-97 (created by state legislature to study adequacy of judicial staffing, equipment, and other resources and court revenues). Member *Ex Officio*, Judicial Selection Task Force, Texas Commission on Judicial Efficiency, 1995-97 (created to determine the best method for selecting state judges). Consultative Group, Task Force on Court's Charge, Supreme Court of Texas, 1992. Fellow, Texas Bar Found., Houston Bar Found. Research Fellow, The Center for American and Int'l Law.

Publications: "Litigating the Big Document Case," 20 *Trial Diplomacy J.* 273 (1997); "Forum Selection Clauses in Texas," 56 *Tex. Bar J.* 554 (1993); "DTPA Exposure," 5 *Tex. Real Estate L. Rep.* 61 (1990).

Teaching: "Expert Challenges in Commercial Litigation," Texas Assoc. of Defense Counsel (2006); "Post-Verdict Collection Steps," Advanced Civil Litig., Univ. of Houston Law Found. (2005); "Plaintiff Cases," General Electric Co. Litig. Practice Group Annual Meeting (1999); "The Future of American Class Actions," Canadian Trial Lawyers Ass'n Annual Meeting (1998); "Cutting Edge Deposition Strategies," Advanced Civil Trial Law Conference, South Texas College of Law (1998); "Top Leasing and Tortious Interference," Advanced Oil, Gas & Mineral Law Course, State Bar of Texas (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); "The Stuff at the End of the Agreement: Choice of Law, Consent to Forum, and Enforceability of Foreign Judgments," Doing Bus. in the New Texas, State Bar of Texas Annual Meeting (1992);

“Preservation of Error,” Damages and the Court’s Charge, Houston Bar Ass’n (1991); “Principles of Claims Investigation,” Southwest Electric Claims Exchange (1991); “Scope of Discovery -- Work Product and Privilege,” Advanced Civil Discovery, Univ. of Houston Law Center (1991); “DTPA Exposure: Can You Keep Your Clients From Being Burned?,” 6th Annual Real Estate Law Institute, South Texas College of Law (1990); “How to Handle a DTPA Lawsuit,” DTPA and Consumer Law Institute, Univ. of Houston Law Center (1989-90); “Selected Business Torts: From Tortious Interference to Trade Secrets and Unfair Competition,” Advanced Bus. Litig. Short Course, South Texas College of Law (1987); and “The World of Business Litigation,” Evidence in Bus. Litig., State Bar of Texas (1986).

Reported Cases: *Simulis v. GE Capital Corp.*, 2008 WL 1747483 (Tex. App. 2008); *Med-IM v. GE Capital Corp.*, 2008 WL 901489 (S.D. Tex. 2008); *Swank v. Cunningham*, 2008 WL 796982 (Tex. App. 2008); *American Airlines v. Biztraveldeals.com*, 2008 WL 818536 (N.D. Tex. 2008); *Dell, Inc. v. This Old Store*, 2007 WL 1958609 (S.D. Tex. 2007); *In re Doctors Hosp. 1997, L.P.*, 351 B.R. 813 (Bankr. S.D. Tex. 2006); *TravelJungle v. American Airlines, Inc.*, 2006 WL 3627202 (Tex. App. 2006); *Friese v. Superior 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. American Airlines, Inc.*, 2003 WL 21476280 (Tex. App. 2003); *McNamara v. Bre-X Minerals Ltd.*, 214 F.R.D. 424 (E.D. Tex. 2002); *Kvaerner U.S., Inc. v. Merita Bank PLC*, 732 N.Y.S.2d 215 (App. Div. 2001); *McNamara v. Bre-X Minerals Ltd.*, 197 F. Supp. 2d 622 (E.D. Tex. 2001); *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 Transfer Binder] 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); *McNamara v. Bre-X Minerals Ltd.*, 57 F. Supp. 2d 396, 46 F. Supp. 2d 628, 32 F. Supp. 2d 920 (E.D. Tex. 1999); *Antoine-Tubbs v. Transport Workers Union of Am.*, 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 Lighting & Power Co.*, 936 S.W.2d 673 (Tex. App. 1996); *Kern v. Robert Currie Assoc.*, 632 N.Y.S.2d 75 (App. Div. 1995); *Houston Lighting & Power Co. v. Atchison, Topeka & Santa Fe Ry.*, 890 S.W.2d 455 (Tex. 1994); *Wann v. American Airlines, Inc.*, 878 F. Supp. 82 (S.D. Tex. 1994); *Data Broadcasting Corp. v. Tele-Communications, Inc.*, 1992-2 Trade Cases ¶ 70,050 (S.D.N.Y. 1992); *Andrews v. Houston Lighting & Power 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 Lighting & Power 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).

Certifications: Texas Board of Legal Specialization, Civil Trial Law (1990-present) and Personal Injury Trial Law (1990-00).

Honors and Awards: Named one of country’s “Top Ten Winning Lawyers,” *National Law Journal*, 2004; selected for inclusion in *The Best Lawyers in America* (Comm. Litig.); named among State’s “Super Lawyers” (Bus. Litig.), Top 100 Texas Attorneys, *Texas Monthly*; named among Houston’s Top Lawyers (Bus. Litig.), *H Magazine*. Recipient, Presidential Citation for service to the State Bar, 1996. Honoree, “Golden Nugget” Alumni, Univ. of Texas at El Paso, College of Bus., 2005.