

Jerry C. Alexander

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December 11, 2018

Laura Gibson, Chair  
State Bar of Texas Board of Directors  
DENTONS US LLP  
1221 McKinney St., Suite 1900  
Houston, TX 77010-2006

RE: Nomination for Chair of Board of Directors of the State Bar of Texas

Dear Chair Gibson:

I am respectfully submitting a request that my name be placed in nomination for the position of Chair of the Board of Directors for the State Bar of Texas for the term 2019-20. I further respectfully submit my statement of beliefs and strategies which I consider to be of the greatest significance to the Board and our Bar in the context of our strategic plan for 2019-20.

#### **Role of the Board Chair**

I am ready to work diligently with the incoming President and any other Officers and the Staff in accomplishing whatever they think the Board needs to be doing, and fully understand that the role of the Board Chair is not a public one, but one that functions through interaction with the other Directors on the Board. The items outlined in this letter are things I would ask of Board Members. These things are really not a "project," but an invigoration of our existing duties as Board Members.

I have served on various boards of directors over the years and was Chair of the Board of Directors of the Dallas Bar Association, and am familiar with the conduct of board meetings. As general concepts, all board members who want to speak will be encouraged to do so and free exchanges of ideas would be welcome.

I would personally try to assure that each board packet also contained a meaningful executive summary of the consent Agenda items.

Additionally, I am well acquainted with the relative importance to the public and to the membership in general between the President and the Board Chair. I am respectful of that difference.

#### **BELIEFS FOR 2019-2020**

I believe lawyers are wonderful, generous people.

I believe the Board of Directors of the State Bar has done a great job in the past and continues to do so.

I believe the Staff of the State Bar and the present and past Executive Director and Officers are exemplary, hard-working people who do not need and certainly do not deserve to be criticized or investigated.

I believe the State Bar is and has been transparent and is not filled with or run by insiders. (I do not even know what "insider" means and I certainly do not know who any of them would be.)

I do not believe task forces are useful, but that Committees and Sections are.

I do not believe criticism is helpful, but that positive suggestions are.

I believe we are all volunteers and should always remember that and should trust each other and treat each other with respect and admiration.

I believe there is a perceived "disconnect" between the State Bar of Texas and its rank and file members.

I believe we all have more in common with each other than with any other group of individuals on earth.

I believe that working together we can accomplish anything we want to, including easing or erasing the "disconnect".

### **SUMMARY BELIEFS**

I believe the State Bar of Texas for 2019-20 should focus on addressing the concerns of the rank and file practicing attorney members of the State Bar of Texas.

### **HOW DO WE ACCOMPLISH THAT?**

By the State Bar of Texas Board of Directors personally contacting our constituents, without the interaction of electronic media, and listening to them.

### **Actions and Tactics to Accomplish That Focus in 2019-2020**

First, we have to remember and focus upon who the rank and file practicing attorney members of the State Bar of Texas are. The vast majority of them are lawyers who go to work every day and work hard to represent their clients and to support themselves and their families.

Most of them:

- Will never be involved in a grievance proceeding;
- Do not have a substance abuse problem;
- Do not suffer from mental illness;

- And especially do not care one bit about “internal investigations” or task forces investigating the State Bar of Texas.

The types of programs that recently have seemed to have been the focus of the State Bar are the “marquee programs” for specific subsets of the members of the State Bar of Texas.

I have found through years of bar experience on the local level that there are any number of good, energetic and generous attorneys who can be organized and easily mobilized to work on TLAP type programs or in providing legal services for the poor, and even in the grievance process. For example, I know from personal experience as a previous head of the Dallas Volunteer Attorney Program Campaign Fund, which now raises \$1,000,000 per year for legal services for the members of the public at or near the poverty line, that attorneys are extraordinarily generous, not just with their contributions, but also with their time for good causes.

I am **NOT** suggesting that the excellent programs and responsibilities that the State Bar of Texas has that have a public focus or focus on the members who suffer or encounter unfortunate personal situations should be diminished in any way. We must take care of each other. And I say that with all sincerity, since I am a beneficiary of a precursor of TLAP. Thirty-two years ago, some older practitioners and Judges convinced me that I was one of those lawyers who just should simply not drink. I am alive today and enjoying my service with the State Bar of Texas because, with their help, I have followed that advice every day for 32 years.

All of these types of marquee programs are important and help the lawyers who need it most.

The rank and file practicing attorney members of the State Bar of Texas also need and are entitled to our attention.

### **Easing/Erasing the “Disconnect”**

I believe part of the perceived “disconnect” between the State Bar and the general membership is that they do not hear enough about the programs that the State Bar already has to assist them in their everyday practice needs. More importantly, as a Board we have not asked them, in the appropriate way, to tell us what they think the State Bar of Texas could do to make their everyday practice better or easier for them.

Now that the Sunset Proceedings are concluded and an alternate way of electing Presidents has been absorbed and assimilated, and the task forces are winding down, the basic mission for 2019-2020 should not be a constant self-evaluation of the State Bar, its Staff and Officers. It should be an outward mission.

What we need is a “reaching out” approach to the constituents we are supposed to be serving.

Through the Board of Directors, in 2019-2020, the rank and file practicing attorney members of the State Bar of Texas could be contacted on a more personal basis and asked a simple question:

“How can we better serve you?”

This contact would be accomplished in two ways without burdening the Staff with additional work. Each Director could simply be tasked with going to their base constituencies to ask this single, simple question:

How can we better serve you?

The great benefit that the State Bar of Texas would receive during the "year of asking" is the exercise itself. Directors asking the members that elected them what they think the State Bar could be doing for them has not been the focus in so long, it would almost be "new." Probably in most instances, the interaction between the Director and the member would result in the member learning about a State Bar Program that already exists.

The most important thing would be that the conversation actually occurred.

The second way to ease the perceived "disconnect" is for the Directors to become active in gathering this same information by performing outreach to the Committees and Sections at the meetings the Directors are either interested in or assigned to and asking the Committee and Section members to participate in this personal dialogue with the members they know.

An electronic survey simply will not work. We as a Board need to talk to members, face to face, and let them know about the State Bar and ask the question. There are 22 work days in a month. If a Director talks to just one lawyer they see or call during the day each day, in 8 months they will have talked to 176 members. This means the Board as a whole could talk to about 8,500 members in eight months.

It does not cost anything. It just takes five minutes to talk and one minute to make a note of it. When is the last time over 8,000 members of this organization were personally contacted by a Board member? It has probably never happened before. Most importantly, this is exactly what we are supposed to do as Directors and exactly what will close any "disconnect" perceived or otherwise.

Hopefully, by early 2020, each Director could submit a one-page report on the most frequently given answer to "the Question": "How can we better serve you?" These reports could be compiled by the Chair, probably with the help of only a single Staff member. A report could then be given to the Board about what the members most frequently see as their needs from the State Bar of Texas.

### **Examples of Present "Rank and File" Issues**

I know from already having some of my constituents talk to me that presently there are three things they bring up the most. It will be interesting to see if this is the case state-wide.

The three issues that already seem to be extant are:

1. **Young people:** They want to know about jobs and about the future of the profession and their future in it. (I am asked about this more than anything else.)
2. **Aging and aged lawyers:** They want to know how to retire from the practice, how to close an office, if they can "sell" a practice, should they keep their license to practice, etc.
3. **General Member Issues.** Generally, the members seem interested in two things:

- a. They are absolutely enamored with the idea of there being a State Bar of Texas health care plan as an alternative to whatever their present health care situation is. (When it came to Dallas, the program about the State Bar providing health a plan as a benefit for attorneys was standing room only!)
- b. The members complain they get too many communications from what they consider to be the State Bar of Texas, but which are really blast e-mails from "supporters" of various people or causes.

As you can see, these particular strategic issues and points of focus are not the more attractive, idealistic, marquee causes, but they represent the kinds of things the rank and file are really asking about and wondering if the State Bar is focused on them. Hopefully we can find out what the major concerns are statewide and assure the members of our interest in them.

I hope we can give our members the attention they deserve in 2019-2020.

Attached is a listing of some of the things I have done over the years which I think would be useful were I to be fortunate enough to be elected Chair of the Board of Directors of the State Bar of Texas.

Thank you for considering this letter and the action requested in it.

Respectfully Submitted



Jerry C. Alexander

JCA/sdc

cc: President Joe E. Longley  
President-Elect Randall O. Sorrels  
Executive Director Trey Apffel

### ***Professional***

- AV Preeminent 5.0 out of 5
- Texas Super Lawyer 2007, 2009-2018
- Attorney at Passman & Jones, P.C. entire career

### ***Dallas Bar Association***

- President of the Dallas Bar Association (2016)<sup>1</sup>
- Chair of the Dallas Bar Association Board of Directors (2012)
- Member of the Dallas Bar Association Board of Directors (2009-2010, 2011-2012)
- Chair of the Vision 2020 Project for the Dallas Bar Association (2010) (Chair of Committee and Co-Drafter of ten-year plan for Dallas Bar Association)
- Chair of the Dallas Volunteer Attorney Program Campaign (2010) (raised over \$700,000 on legal services for the poor)
- Chairman of the Judicial Polls Study Subcommittee of the Dallas Bar Association (2007-2008) (revised and maintained the Dallas Bar Association Judicial Poll)
- Vice-Chair of the Judiciary Committee of the Dallas Bar Association (2007)
- Co-Chair of the Judiciary Committee of the Dallas Bar Association (1997 and 2008)
- Chairman of the Local Rules Subcommittee (1993-1996, 1998-1999) - Headed up the Dallas Bar Association drafting project for the Local Rules of Practice in the Civil District and County Courts at Law Courts for Dallas County, Texas, which are presently in use
- Member of the City Club Board of Directors, Dallas, Texas
- Member of the UNT Dallas College of Law Municipal Building Exhibit Advisory Committee (2017 – Present)
- Member of the Dallas Bar Foundation Board of Trustees (2018)
- Advisory Member of the Board of Directors of the Dallas Bar Association (2018)

### ***State Bar of Texas***

- State Bar of Texas (Member of the Law Focused Education Committee (2007, 2008 and 2009)
- Chair of the Facilities & Equipment Subcommittee -2018 (working on lease for Grievance Committee in Dallas)
- Recruited SMU Ethics Law Professor to serve on Grievance Committee

### ***Personal***

- Married 35 years to Sherri Alexander, partner in the Polsinelli Firm; two adult children, Matthew (29) and Mackenzie (25)
- Ordained Elder in the Presbyterian Church; Serve on the Church Session (Board)

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<sup>1</sup> President-Elect of the Dallas Bar Association (2015)  
First Vice-President of the Dallas Bar Association (2014)  
Second Vice-President of the Dallas Bar Association (2013)  
Vice-Chair of the Dallas Bar Association Board of Directors (2011)  
Secretary-Treasurer of the Dallas Bar Association (2008)

Alison Colvin



**COLVIN, SAENZ, RODRIGUEZ & KENNAMER, L.L.P.**

ATTORNEYS AT LAW

A REGISTERED LIMITED LIABILITY PARTNERSHIP

NORTON A. COLVIN, JR.  
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OMAR A. SAENZ  
ELIZABETH FERGUSON HERRERA

\*BOARD CERTIFIED IN PERSONAL INJURY TRIAL LAW  
TEXAS BOARD OF LEGAL SPECIALIZATION

OF COUNSEL:

TERI L. DANISH\*\*

\*\*BOARD CERTIFIED IN LABOR AND EMPLOYMENT LAW  
TEXAS BOARD OF LEGAL SPECIALIZATION

December 12, 2018

**Via E-Mail: [laura.gibson@dentons.com](mailto:laura.gibson@dentons.com)**

Ms. Laura Gibson

Dentons

1221 McKinney Street, Suite 1900

Houston, Texas 77057

***Re: Nomination for Chair of the Board of Directors***

Dear Ms. Gibson:

I am seeking the nomination for the position of Chair of the State Bar of Texas for the 2019-2020 term. Pursuant to Section 1.11.03 of the State Bar Board Policy Manual, I believe the following statement will be informative to the Board in its selection as Chair.

I am now in my fifth year of service to the State Bar, having served as a Section Representative from 2013-2016 and now as the Director for District 12. I was encouraged to run for Section Representative by my council members on the Women and the Law Section. At 8 months pregnant and one week after my mother passed away I was sworn into my first term at the Hilton Anatole in Dallas. I will never forget the feelings I had that weekend as I walked through the enormous halls of the hotel in honest sorrow over my mother but in excited anticipation of meeting my third child. And in addition, walking into my very first board meeting for the Texas State Bar was as if someone had just opened a curtain to a world unknown. I had no idea what I had gotten myself into, what was expected of me or what was even going on behind that curtain. But, I knew one thing-I was curious.

In my time on the Board I have seen many people come and go and many stay in some capacity. But with everyone I have encountered, I have seen a passion and a drive to make things better. I have been amazed with the time contributions, the array of gifts and talents of so many and it has challenged me to learn and do more. In many ways, the State Bar has become part of my family and I feel an obligation to grow it, protect it, and strengthen it. I recognize our Bar has weaknesses, but it also has many strengths. I have been consistently humbled by Texas attorneys and their willingness to help the public and each other. Never when I joined this Board did I understand the significant time so many Texas lawyers spend on educating the public, providing access to justice, and teaching other attorneys. My curiosity has turned into drive.

The mission of the State Bar of Texas as outlined in the Strategic Plan is to support the administration of the legal system, assure all citizens equal access to justice, foster high standards of ethical conduct for lawyers, enable its members to better serve their clients and the public, educate the public about the rule of law, and promote diversity in the administration of justice and the practice of law. I believe I can help Mr. Sorrels and the Bar foster these missions. Especially in the area I reside, assuring all citizens have equal access to justice is a large feat. We have so many needs with family issues, immigration problems and veteran affairs. I see this part of the strategic plan as one of the most important. Spreading the word to the public in the sometimes-forgotten areas shows the strength this Bar can have. Supporting the administration of the legal system I believe is also just as important. Our members need to know that no matter where they are, the State Bar is here and present. This is not a group of insiders but a group who wants to reach out to all. Supporting all members through CLE, substance abuse support and merely being seen across the State nullifies the “insider” stigma.


As a young attorney at Fulbright and Jaworski in Houston, I was involved in the TADC Young Lawyer’s Association as a council member and was active in the Houston Bar Association’s Marriage Pro Bono efforts. Once I moved to South Texas, I became an active member of the Cameron County Young Lawyer’s Association and was one of the very first Cameron County Lawyers to attend the Bar Leader’s Conference and actually seek a grant, (which was awarded!). I continued onto the Cameron County Bar as a Director and then became a council member on the Women and the Law Section and ultimately the Chair. I have a heart for service.

While I may have to study up on Robert’s Rules and look to Mr. Sorrels, Mr. Longley, Ms. Gibson and others for guidance in State Bar management and other areas, I believe that my zeal and passion for this Bar can bring life and enthusiasm to a place that has been under attack. I also believe that I can motivate law students, newly licensed young lawyers and lawyers from smaller communities to become more active in the Bar. Their involvement is something I believe we are lacking.

Moreover, with my experience practicing in South Texas sometimes our attorneys feel far away from the “Big Bar” and less inclined to be involved. I want to help Mr. Sorrels spread the word that the Bar is here for all of us and the public, whether in Raymondville or Houston. I want attorneys around the State to see what the Bar offers and that it doesn’t matter where you practice, you can have all the benefits there are to offer, and you can also lead if you choose to do so.

Actions express priorities. The Texas State Bar is my priority which is why I wanted to take this action and run for Chair. I ask that you please consider me for nomination as the State Bar Chair for the 2019-2020 term.

Sincerely,



Alison W. Colvin

1201 E. VAN BUREN, BROWNSVILLE, TEXAS 78520  
PHONE 956-542-7441 EMAIL AW.COLVIN@RCCLAW.COM

# ALISON W. COLVIN

## EDUCATION

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### UNIVERSITY OF OKLAHOMA COLLEGE OF LAW, *Norman, OK*

*Juris Doctorate, May 2003*

*Licensed in the State of Texas, Nov. 2003*

#### Activities:

ABA Mock Trial Team  
National Mock Trial Team  
Pepperdine Entertainment Law Moot Court Team  
National Moot Court Team  
Organization for the Advancement of Women in the Law  
University of Oklahoma Dean's Council

**Honors:** Low Wentz Merit Scholar  
Dean's Scholar  
Order of the Barristers

### SYRACUSE UNIVERSITY, *Syracuse, NY*

*B.F.A. Theatre, May 1998*

**Activities:** Alpha Xi Delta-President

Alpha Xi Delta-Executive Officer  
Alpha Xi Delta-Pledge Class President  
Syracuse University Drama Club-President

**Honors:** Dean's Scholar

## EXPERIENCE

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Oct. 2009 – present	<b>COLVIN, SAENZ, RODRIGUEZ, &amp; KENNAMER L.L.P.</b> <i>Brownsville, TX</i> <i>Partner-</i> Personal Injury, Products Liability, Commercial Litigation
Oct. 2006 – March 2009	<b>RODRIGUEZ &amp; NICOLAS, L.L.P.</b> <i>Brownsville, TX</i> <i>Associate-</i> Personal Injury, Products Liability, Commercial Litigation
Sept. 2003 – Oct. 2006	<b>FULBRIGHT &amp; JAWORSKI, L.L.P.</b> <i>Houston, TX</i> <i>Associate-</i> Medical malpractice, products liability and general litigation

## POSITIONS AND RECOGNITIONS

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June 2017-present	DISTRICT 12 DIRECTOR STATE BAR TEXAS
June 2013-June 2016	SECTION REPRESENTATIVE OF THE STATE BAR TEXAS
June 2012-June 2013	CHAIR, WOMEN AND THE LAW SECTION
June 2008-June 2012	COUNCIL MEMBER, WOMEN AND THE LAW SECTION
2011-2012	DIRECTOR, CAMERON COUNTY BAR ASSOCIATION
2008-2011	COUNCIL, CAMERON COUNTY YOUNG LAWYER'S ASSOCIATION
2004-2008	COUNCIL, TADC YOUNG LAWYER'S COMMITTEE
***	
2012-2104	TEXAS RISING STARS

Leslie Dippel

# Leslie W. Dippel

PO Box 1748  
Austin, TX 78767

12/18

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December 12, 2018

Ms. Laura Gibson  
Dentons US LLP  
1221 McKinney Street Suite 1900  
Houston, TX 77010

via email: [laura.gibson@dentons.com](mailto:laura.gibson@dentons.com)

Dear Chair Gibson,

With excitement, I write to seek a nomination to serve as Chair of the State Bar of Texas Board of Directors for 2019-2120. As Board policy 1.11.03 directs, this letter provides my thoughts on issues of importance to the Bar upon which I would focus in the upcoming year.

From my first meeting as a newly elected director, I knew this organization of principled leaders was my home base. Without exception, every person I have had the pleasure to meet has had one goal in mind—serving the lawyers of Texas well. That single focus clearly drives every decision I have had the privilege to participate in. Some call this idealism, I see it as knowing your core principle.

For me, service to the bar started in 1995 when I was a third-year law student at the University of Houston Law Center. I served the board of directors of the Houston Young Lawyers Association as their law student representative. Immediately upon moving home to Austin, I sought out the Austin Bar Association and began a career long dedication to public service. After serving many years on various committees, and accepting increasing roles of responsibility, I ran for an officer position and eventually served Austin lawyers as President.

It is important to me to see ideas evolve into action. One of the most meaningful accomplishments of working with the Austin Bar is a committee with which I am still heavily involved. Nine years ago, I worked alongside Judge Lora Livingston, Judge Eric Shepperd and our own Rudy Metayer to create the first in Austin Bar's history, Diversity Fellowship. Law firms fund a fellowship for first year minority law students who work five weeks with the District and County Judges and five weeks with their sponsoring firm. We have watched many fellows go on to fulfilling careers, some at the firm that first sponsored them. This encouragement and celebration of diversity at the entry level will permeate to the top levels and we could not be more pleased with the success of this fellowship program.

My year as President of the Austin Bar was one of the greatest privileges of my career. It was a time of discovering who I was as a leader and volunteer. It was a difficult year, when two well-respected local lawyers ran against each other for State Bar President. Many lawyers took sides and some feelings were hurt. It was my responsibility to help our association rise to the occasion called upon us. I did this in several ways. The first was to build trust. I visited the sections of our association. I attended their meetings to tell them publicly that their work mattered, and their service and opinions were noticed and valued. Second, I encouraged dialogue, and asked for input and discussion from all lawyers. I discovered myself that year. I discovered I value open discussion, mutual respect, and participation at all levels above almost all else.

When I was a young associate in private practice, Tom Watkins encouraged us to read the Lawyer's Creed every January. I have kept this habit and it has become a touchstone for how I conduct myself on a daily basis. Reflecting on my term as President, I am most proud of a series of articles I wrote for the Austin Lawyer titled, "Living the Lawyer's Creed." Each month, I focused on a part of the Lawyer's Creed that spoke to me and discussed its relation to a particular initiative of the bar. Inevitably, as I wrote each article a lawyer came to mind that exemplified each particular ideal. I highlighted that lawyer because I am a firm believer in good service deserving recognition. It was an interesting process to focus on the Creed and incorporate its precepts into my daily practice. I hope it encouraged others to do the same and reminded us that ours is a noble profession, and we must work to keep it that way.

This is such an engrained habit that in preparing this letter, I went straight to our Mission Statement as it should shape our approach to every issue. Our stated mission is "to support the administration of the legal system, assure citizens equal access to justice, foster high standards of ethical conduct for lawyers, enable [our members] to better serve their clients and the public, educate the public about the rule of law, and promote diversity in the administration of justice and the practice of law." We cannot accomplish that mission without opening our doors and encouraging the lawyers of Texas to walk through.

The theme of my term as President was "Plugging In." I wanted lawyers in Austin to know there was a place for them at the Austin Bar no matter their subject-matter interest, availability, or experience level. Perhaps like no other time in our organization's history, there is a contingent who believes the State Bar is not relevant to them. We have a unique opportunity to open the doors and let all lawyers know they too can "plug in." Indeed, they must. There is a place for everyone and it is through service, at any level, that we ensure lawyers receive the information they need to enhance their practice and through them educate the public.

There is a perception there are "bar people" and "non-bar people." With each of us "plugging in" and living the Lawyer's Creed we will demonstrate we are all bar people because we all belong to one bar. And that bar is phenomenal. I believe an effective leader is one who creates, cultivates, and values relationships. Thereby, we accomplish progress, commit to change where it is warranted, and re-commit to what is working well where it is not. This is one of my passions and I believe it is my greatest strength. I notice similar strengths in the State Bar's leadership, and it would be a distinct privilege to work alongside Randy Sorrels, Trey Apffel, and the members of this board as Chair in 2019-2020. I enclosed my professional profile for more information on my background. I have experience in service, leadership, and open government issues to be of tremendous support to us and I very humbly ask to be considered for Chair of the State Bar Board of Directors.

Sincerely,



Leslie W. Dippel

cc: Joe Longley, President [joe@joelonglev.com](mailto:joe@joelonglev.com)  
Randy Sorrels, President-Elect [rsorrels@abrahamwatkins.com](mailto:rsorrels@abrahamwatkins.com)  
Trey Apffel, Executive Director [trey.apffel@texasbar.com](mailto:trey.apffel@texasbar.com)

*Assistant County Attorney  
Director, Civil Litigation Division  
PO Box 1748  
Austin, TX 78767*

*ldippel@att.net*

**Professional Profile:**

Ms. Dippel is the Director of the Civil Litigation Division of the Travis County Attorney's Office. She litigates and oversees all cases filed against Travis County and its employees in state and federal court at both the trial and appellate court level. Leslie's practice has always emphasized employment law. Leslie has gained significant first chair trial experience, including jury trials, administrative hearings, and appeals including appellate oral argument. Leslie also provides legal counsel to the Commissioners Court and other County elected and appointed officials on general liability issues and areas related to open government, including the Public Information Act and Open Meetings Act.

**Education:**

**University of Houston Law Center, JD 1996**  
Member, Board of Directors Houston Young Lawyer's Association

**Southwest Texas State University, BA 1992 *cum laude***  
Most Outstanding Senior, 1992

**Employment History:**

**Travis County Attorney's Office, 2/05-present**  
*Director, Civil Litigation Division*

**Brown McCarroll, L.L.P. (now Husch Blackwell) 08/01- 2/05**  
*Attorney*  
Litigation and labor & employment law

**Judge Andrew W. Austin, Western District of Texas, Austin Division, 3/00-08/01**  
**Judge Stephen H. Capelle, Western District of Texas, Austin Division, 9/99-3/00**  
*Briefing Attorney*

**Travis County Attorney's Office, 02/99-09/99**  
*Assistant County Attorney*  
Federal civil litigation focusing on civil rights defense

**Office of the Attorney General, Law Enforcement Defense Division, 1997-1999**  
*Assistant Attorney General*  
Member of supervisory team over first year attorneys. Heavy state and federal trial docket of civil rights defense, employment, and tort litigation including appeals. Participated in 34 trials; 17 jury trials; 7 first chair

**Office of the Attorney General, General Litigation Division, 1996-1997**

*Law Clerk*

**Gustafson, Gordon, & Griffin, Houston, Texas, 1994-1996**

*Law Clerk*

**University of Houston Law Center, 1994-1996**

*Research Assistant, Richard Alderman, Assistant Dean of Academic Affairs*

Updated Dean Alderman's Deceptive Trade Practices Guide and answered public mail addressed to the People's Lawyer

**Judge Michael Schneider, 157<sup>th</sup> Civil District Court, Houston, Texas, summer 1994**

*Intern*

**Professional Accomplishments:**

1995, Board of Directors Houston Young Lawyer's Association

1999, Co-Chair ABA Membership Committee

2001-2003, Co-Chair ABA Bench Bar Committee

2001-2005, Robert W. Calvert American Inn of Court

2003, Most Outstanding Committee Chair ABA

2003-2008, Co-Chair Legal Education Outreach Committee

2005-2013, Board of Directors ABA

2006, Leadership Austin graduate

2006-2007, Vice-Chair ABA Labor and Employment Section

2007-2008, Chair ABA Labor and Employment Section

2008, Most Outstanding Committee Chair ABA

2008-present, Co-Chair ABA Diversity Committee

2009-2012, Board of Directors Leadership Austin

2010, Most Outstanding Director ABA

2013, Contribution to Minority Community Award Travis County Women Lawyers Association

2013-2017, Treasurer, Secretary, Vice-President, and President ABA

2017-present, Board of Directors State Bar of Texas

**Community Involvement:**

Mills Elementary School PTA Executive Board; Gorzycki Middle School PTA Executive Board, Bowie High School Executive PTA Board; Bowie High School Soccer and Lacrosse Booster Club Executive Board, First United Methodist Church Administrative Board, Oak Hill United Methodist Church Staff Parish Relations Committee, Mothers Against Drunk Driving Advisory Board.



Neil Kelly

December 12, 2018

**VIA EMAIL**

Laura Gibson  
Dentons US, LLP  
1221 McKinney, Suite 1900  
Houston, Texas 77010

Re: Letter for Intent to Run for 2019-2020 Chair of the Board of Directors of the  
State Bar of Texas

Dear Ms. Gibson:

I write to submit my letter of intention to run for Chair of the Board of Directors  
the State Bar of Texas for the 2019-2020 Bar year.

If I have the honor of being elected and serving as Chair, in addition to the  
efficient administration of the Board's responsibilities, my goals for the Board would be:

- (1) to broaden participation by our membership to seek better, more informed  
results based on objective data and practical observations;
- (2) to inform the membership how the SBOT works to advance the interests of  
the profession in the context of the statutory self-governance regime; and
- (3) to reinforce the Board's position as the governing body of the SBOT.

I would seek to accomplish these goals by:

- engaging the Board and SBOT membership through technology to obtain their  
input, comments, and viewpoints of actions and policies;
- structuring Board committees to encourage focused effort by Board members  
to perform the SBOT and Board's statutory requirements and to exceed the  
Board's strategic plan; and

December 12, 2018

Page 2

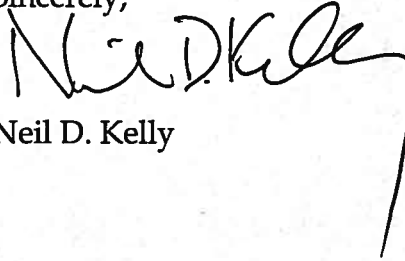
- working with Board members, the SBOT professionals, and SBOT officers to achieve coherent and consistent messaging about the SBOT, its policies, and its functions.

Texas lawyers enjoy a unique arrangement of self-governance that the Board must protect while pursuing policies that allow the SBOT to provide services and resources that enhance our profession. I would be humbled by the opportunity to serve as Chair if I am elected.

My firm resume is attached, with a short summary in the later part of the document of my several years of service to our profession.

Please let me know if you need any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Neil D. Kelly". The signature is stylized with a large, sweeping "N" and a long, thin vertical line extending downwards from the end of the signature.

Neil D. Kelly

Enclosure

Neil D. Kelly  
Partner  
Hunton Andrews Kurth LLP

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[neilkelly@huntonak.com](mailto:neilkelly@huntonak.com)

Neil is a trial lawyer whose practice focuses on complex civil disputes, corporate investigations, and pre-litigation dispute analysis and transaction and risk due diligence for clients active in oil and gas exploration and development, energy-related manufacturing and services, real estate, wood-products testing, and private equity investments.

Neil achieves results for clients through the early assessment of critical facts and controlling legal principles to develop a comprehensive strategy.

Specific experience includes disputes involving purchase and sale agreements, supply and service agreements, commercial building leases, mineral leases, joint operating agreements, areas of mutual interest, trade secret disputes, and non-compete and related employment agreements, as well as investigations by the Securities and Exchange Commission, Department of Justice, Fraud Division, and the Federal Trade Commission.

#### REPRESENTATIVE EXPERIENCE

Neil has served as lead trial counsel or the principal lawyer on numerous matters, including the following:

##### Energy; Oil and gas

##### A. Upstream - Service and products clients

- Represented plaintiff oil and gas drilling rig contractor against sellers/manufacturers of drilling rigs to assert claims for breaches of representations and express and implied warranties, fraud, and negligent misrepresentation.
- Represented plaintiff oil and gas drilling contractor to recover losses arising from defective and deficient diesel generators and insufficient service.
- Represented oil and gas drilling contractor in lawsuit with subcontractors and claims for payment brought by third parties; avoided liens on property.



#### INDUSTRIES

Electric  
Energy  
Energy Services  
Natural Gas  
Oil and Gas

#### PRACTICES

Commercial Litigation  
Corporate  
Corporate Compliance,  
Investigations and  
Defense  
Litigation and Dispute  
Resolution  
Oil and Gas Disputes  
Securities Litigation

#### EDUCATION

JD, 1992, *magna cum laude*, Tulane  
University Law School,  
Order of the Coif, Phi  
Delta Phi  
BSM, 1988, Tulane  
University

#### ADMISSIONS

Texas 1992  
US Court of Appeals for  
the Fifth Circuit  
US Court of Appeals for  
the Third Circuit  
US District Court for the  
Northern District of  
Texas  
US District Court for the  
Southern District of  
Texas  
US District Court for the  
Eastern District of  
Texas  
US District Court for the  
Western District of  
Texas

# Neil D. Kelly, Continued

## **B. Upstream - E&P Matters**

- Defended independent oil and gas exploration company in lawsuit alleging breach of joint operating agreement for improper charges of non-consent penalties; obtained trial court judgment that was sustained on appeal.
- Pursued claims and obtained recovery for independent oil and gas exploration company for breaches of area of mutual interest agreement in matter dealing with the statutes of fraud and limitations.
- Defended oil and gas exploration company in an arbitration brought by major seismic company to force payment of a substantial bonuses claimed due under seismic data agreement for exploration blocks in deep water Gulf of Mexico; obtained arbitration award that defeated all claims.

## **C. Midstream**

- Represented oil and petroleum products rail and barge terminal and storage facility in a variety of disputes related to industrial development bonds and a declaratory judgment action to dispose of threatened claims by former shareholders alleging fraud, mismanagement, and other theories of recovery.
- Represented gas storage facility and pipeline in lawsuit brought by directional drilling services provider against claims for payment of change orders, lost equipment, and alleged unforeseen obstructions.

## **D. Downstream**

- Represented major refinery pipeline and storage facility operator in connection with Federal Trade Commission Second Request.
- Represented as claimants bankrupt entities in pre-litigation analysis of gas, oil, wind, power, weather and ISDA contracts. Obtained in excess of \$40 million in settlements for bankruptcy estates.
- Represent fuel products trading company in efforts to restructure and pursue claims to recover misappropriated funds intended to establish line of credit for trading business.

## **General commercial litigation**

- Represented international investment concern against Houston-based portfolio manager in fraud, breach of contract, and conversion claims to recover investment funds.
- Represented scrap metal dealer against Mexican supplier in federal court; obtained denial of motions to dismiss, including for forum non conveniens, and ultimately prevailed on motion for summary judgment.



## Neil D. Kelly, Continued

- Represented minority shareholder in closely held corporation in multiple lawsuits against corporation's board and majority controlling person to obtain liquidity and enforce prior agreements.

### **Corporate investigations**

- Represented audit committee of publicly traded company in internal investigations arising from whistleblower ethics complaints.
- Resolved SEC investigation of fraudulent dealings by a client's former management, avoiding crippling fines and onerous injunctive restrictions.
- Represent client as a key third party witness in investigations by Department of Justice, Fraud Division, Securities and Exchange Commission, and Internal Revenue Service in ongoing matter.
- Represent oilfield services client in investigation arising from whistleblower complaints of apparently false inspections of trucks in over 15 states.
- Investigation into whistleblower allegations at Pennsylvania-based coal company of overstatement of earnings and management mis- mal- and non-feasance that later led to FCPA investigation.
- Represented accountant who was a third party witness in the Allen Stanford investigation.

### **Corporate transactions - energy**

- Frequent analysis of material terms of transactions and deal documents, including indemnifications, representations and warranties, dispute resolution provisions, choice of law, employment agreement provisions, non-compete provisions, and other matters.
- Multiple matters involving transaction analysis for master limited partnerships in disputes with investors regarding calculation of units, distributions, buyout provisions, and asset characterizations.
- Represent private equity client in Delaware law disputes over working capital true ups and indemnification claims arising from alleged breaches of representations and warranties in entity purchase and sale agreement and related asset sale agreement.

# Neil D. Kelly, Continued

## AFFILIATIONS AND COMMUNITY ACTIVITIES

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- **Texas Bar Foundation, Fellow**

Member, Houston Nominating Committee

- **State Bar of Texas**

**Director, Place 4, Place 2** - Term Expires 2020

Standing Committees - Advisor

Administration of Rule of Evidence - 2018-2019

Pattern Jury Charge - Oil and Gas - 2017-2018

Local Bar Services - 2017-2018

SBOT Section - Advisor

Oil, Gas & Energy Resources Law Section - 2018-2019

Computer & Technology - 2018-2019

Business Law Section - 2017-2018

LGBT Law Section - 2017-2018

SBOT Board Committees

Executive Committee - 2018-2019

Executive Committee, Policy Manual Subcommittee - 2018-2019

Discipline & Client Attorney Assistance Committee - 2017-2018

Executive Committee, Policy Manual Subcommittee - 2017-2018

Public Services & Education Committee, Affordable Legal Services Subcommittee - 2017-2018

- **Houston Bar Foundation, Sustaining Life Fellow  
Director**

- **Houston Bar Association**

**President** - 2016-2017

Led the HBA's 11,500 members, 32 committees, and 27 sections in its continuing effort to promote professionalism, access to justice, the rule of law, legal education for the profession and the public, service to the Houston community, and equality and inclusion in the legal profession.

The HBA received multiple awards for its work during the 2016-2017 bar year:

**Texas Access to Justice Commission Deborah G. Hankinson Award**

The HBA earned this honor for its efforts that include hosting an extensive array of monthly and bimonthly legal clinics customized to meet the needs of Harris County residents and for raising \$725,000 through its annual Harvest Celebration, a fundraiser for legal services provided through the HBA's Houston Volunteer Lawyers.

## Neil D. Kelly, Continued

### **Two State Bar of Texas Star of Achievement Awards**

Expansion of the Houston Volunteer Lawyers (HVL) Pro Se Assistance Clinic, located in the Harris County Law Library.

Programs on diversity, equality, and inclusion from the LGBTQ perspective.

### **Three State Bar of Texas Publication Awards**

*The Houston Lawyer* magazine was named best overall newsletter and the magazine also won two individual article awards.

Other HBA Leadership Positions:

**President-Elect** - 2015-2016

**Treasurer** - 2014-2015

**Board Member** - 2011 to Present

Houston Volunteer Lawyers, Inc.

- o Chair - 2014-2015
- o Chair-elect - 2013-2014
- o Treasurer - 2012-2013
- o Secretary - 2011-2012

Houston Lawyer Referral Service

- o Chair - 2015-2016
- o Chair-elect - 2014-2015
- o Treasurer - 2013-2014
- o Secretary - 2012-2013

Houston Bar Association, Litigation Section

- o Chair - 2006-2007
- o Chair-elect - 2005-2006
- o Vice Chair - 2004-2005
- o Secretary and Treasurer - 2003-2004

- **Cub Scout Pack 55, St. John's the Divine**

Son and Daughter are both Cub Scouts

Den 1 Leader

Cub Master