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## **CURRICULUM VITAE**

### **Education**

J.D., Yale Law School, New Haven, Connecticut Spring 1992  
Yale Law Journal, Essays Editor  
A.B., Harvard College, Cambridge, Massachusetts Spring 1989  
cum laude, Social Studies

### **Experience**

Roach & Newton, L.L.P., Houston, Texas  
Partner June 2014-  
Shook, Hardy & Bacon L.L.P., Houston, Texas (partner)  
Partner January 2005-June 2014  
Of Counsel January 2004-December 2004  
Associate December 1999-December 2003  
University of Houston, Houston, Texas  
Adjunct Professor, Appellate Advocacy Fall Semester 2012  
Solar & Fernandes, L.L.P., Houston, Texas  
Associate September 1995-November 1999  
Vinson & Elkins, L.L.P., Houston, Texas  
Associate October 1992-September 1995

### **Bar Admissions**

Texas  
United States District Courts, Southern and Eastern Districts of Texas  
United States Courts of Appeals, Fifth, Sixth, Eighth, Ninth, and Tenth Circuits  
United States Supreme Court

## Representative Cases

### Federal Appeals

*NATSO, Inc. v. 3 Girls Enterprises, Inc.*, No. 11-350 (filed September 19, 2011), cert. denied, 132 S. Ct. 1004 (2012)

*Milton v. Stryker Corp.*, 551 Fed. Appx. 125 (5th Cir. 2014) (argued)

*In re Motor Fuel Temperature Sales Practices Litig.*, 711 F.3d 1050 (9th Cir. 2013)

*Bass v. Stryker Corp.*, 669 F.3d 501 (5th Cir. 2012)

*In re Motor Fuel Temperature Sales Practices Litig.*, 641 F.3d 470 (10th Cir. 2011)

*Funk v. Stryker Corp.*, 631 F.3d 777 (5th Cir. 2011)

*Brandau v. Howmedica Osteonics Corp.*, 439 Fed. Appx. 317 (5th Cir. 2011)

*Comer v. Murphy Oil USA*, 607 F.3d 1049 (5th Cir. 2010) (representing amicus curiae)

*Sullivan v. Leor Energy, LLC*, 600 F.3d 542 (5th Cir. 2010) (argued)

*Ebel v. Eli Lilly & Co.*, 321 Fed. Appx. 350 (5th Cir. 2009)

*E.E.O.C. v. Chevron Phillips Chemical Co.*, 570 F.3d 606 (5th Cir. 2009)

*Carbo Ceramics, Inc. v. Keefe*, 166 Fed. Appx. 714 (5th Cir. 2006) (argued)

*Grant v. Pharmacia & Upjohn Co.*, 314 F.3d 488 (10th Cir. 2002)

*Guerra v. Johnson*, 90 F.3d 1075 (5th Cir. 1996)

*Hopwood v. State of Tex.*, 78 F.3d 932 & 84 F.3d 720 (5th Cir. 1996)

### State Appeals

*Centocor, Inc. v. Hamilton*, 372 S.W.3d 140 (Tex. 2012)

*In re General Elec. Co.*, 271 S.W.3d 681 (Tex. 2008) (representing amicus curiae)

*City of Houston v. Jones*, 197 S.W.3d 391 (Tex. 2006)

*In re Guidant Corp. & Cardiac Pacemakers, Inc.*, No. 06-0013 (Tex.) (orig. proceeding) Filed Petition for Writ of Mandamus on Jan. 6, 2006 and withdrew it on Jan. 24, 2006, following retraction of improper deposition notice.

*In re Muzette Alvis and Craig Plokhoooy*, No. 05-0989 (Tex.) (orig. proceeding). Opposed Petition for Writ of Mandamus that was filed on Nov. 23, 2005 and denied on April 27, 2007.

*Centocor, Inc. v. Hamilton*, 310 S.W.3d 476 (Tex. App.–Corpus Christi 2010), rev'd, 372 S.W.3d 140 (Tex. 2012)

*Bechtel Corp. v. CITGO Products Pipeline Co.*, 271 S.W.3d 898 (Tex. App.–Austin 2008, no pet.)

*In re Mallinckrodt, Inc.*, 262 S.W.3d 469 (Tex. App.–Beaumont 2008) (orig. proceeding) (argued)

*Hewlett-Packard Co. v. Alvis*, No. 09-05-147, 2008 WL 4163901 (Tex. App.–Beaumont Sept. 11, 2008, no pet.)

*In re Guidant Corp.*, No. 13-06-00036, 2008 WL 4257243 (Tex. App.–Corpus Christi Sept. 15, 2008) (orig. proceeding)

*In re Zimmer, Inc.*, No. 09-07-039, 2007 WL 2199917 (Tex. App.–Beaumont Aug. 2, 2007) (orig. proceeding)

*ADT Security Services, Inc. v. Hawa*, No. 09-04-536, 2005 WL 2878161 (Tex. App.–Beaumont Nov. 3, 2005, no pet.) (argued)

*Yunk v. Sulzer Orthopedics, Inc.*, No. 13-04-255, 2005 WL 2046242 (Tex. App.–Corpus Christi, Aug. 26, 2005, pet. denied)

*City of Houston v. Jones*, No. 01-03-0031, 2004 WL 1847965 (Tex. App.–Houston [1st Dist.], Aug. 19, 2004), rev'd, 197 S.W.3d 391 (Tex. 2006)

*In re Kraft Foods North America, Inc.*, No. 01-02-01228, 2003 WL 21197274 (Tex. App.–Houston [1st Dist.] May 22, 2003) (orig. proceeding)  
*Torres v. Mid-State Trust II*, 895 S.W.2d 828 (Tex. App.–Corpus Christi 1995, pet. denied)  
*B.F. Goodrich Co. v. McCorkle*, 865 S.W.2d 618 (Tex. App.–Houston [14th Dist.] 1993) (orig. proceeding)

### Federal District Court Cases

*Berg v. Johnson & Johnson Consumer Companies, Inc.*, 2014 WL 1757528 (D.S.D. Apr. 30, 2014)  
*Johnson v. MFA Petroleum Co.*, 2014 WL 1292453 (W.D. Mo. Mar. 28, 2014)  
*Berg v. Johnson & Johnson Consumer Companies, Inc.*, 2013 WL 6092202 (D.S.D. Nov. 19, 2013)  
*Cerqua v. Stryker Corp.*, 2013 WL 1752284 (S.D.N.Y. Apr. 23, 2013)  
*Berg v. Johnson & Johnson*, 940 F. Supp. 2d 983, 1000 (D.S.D. 2013)  
*Harrison v. Stryker Corp.*, No. 4:12-cv-2014 (S.D. Tex. Mar. 18, 2013) (slip op.)  
*Sandberg v. Stryker Corp.*, No. 2:09-cv-00-20 (D. Utah, Jan. 2, 2013) (slip op.)  
*Sewing v. Stryker Corp.*, 2012 WL 3599459 (S.D. Tex. Aug. 14, 2012)  
*Harrison v. Stryker Endoscopy*, No. 4:12-cv-00079 (S.D. Tex. Mar. 8, 2012) (slip op.)  
*O'Neill v. Stryker Corp.*, No. 4:10-cv-00489 (S.D. Tex. Nov. 16, 2011) (slip op.)  
*Berg v. Johnson & Johnson*, 2010 WL 3806141 (D.S.D. Sept. 21, 2010)  
*Bass v. Stryker Corp.*, 2010 WL 3431637 (N.D. Tex. Aug. 31, 2010), aff'd in part, 669 F.3d 501 (5th Cir. 2012)  
*Daughtery v. I-Flow, Inc.*, 2010 WL 2034835 (N.D. Tex. Apr. 29, 2010)  
*Lewkut v. Stryker Corp.*, 724 F. Supp. 2d 648 (S.D. Tex. 2010)  
*Funk v. Stryker Corp.*, 673 F. Supp. 2d 522 (S.D. Tex. 2009), aff'd, 631 F.3d 777 (5th Cir. 2011)  
*E.E.O.C. v. Foot Locker Retail, Inc.*, 2009 WL 1174640 (W.D. Wash. Apr. 28, 2009)  
*Moote v. Eli Lilly & Co.*, 2008 WL 509433 (S.D. Tex. Feb. 22, 2008)  
*Ebel v. Eli Lilly & Co.*, 536 F. Supp. 2d 767 (S.D. Tex. 2008), aff'd, 321 Fed. Appx. 350 (5th Cir. 2009)

### **Publications**

Manuel López & Scott A. James, *Mandamus*, 16th Annual Summer School, State Bar College (July 17-19, 2014)  
William F. Northrip & Manuel López, *Guarding the Flanks: Keeping Negligence Per Se from Being an End Run Around Medical Device Preemption*, RX for the Defense, Vol. 21, Issue 3 (DRI July 16, 2013)  
Elizabeth Bolt & Manuel López, *Mandamus & Interlocutory Appeals*, Handling your First Civil Appeal 2012, State Bar of Texas (Feb. 10, 2012)  
Elizabeth Bolt & Manuel López, *Mandamus & Interlocutory Appeals*, Handling your First Civil Appeal 2011, State Bar of Texas (Feb. 11, 2011)  
Manuel López, Christy L. Martin, Blake Hamm & Elizabeth Bolt, *Re-Visiting an Old Friend-An Advocate's Guide to Stare Decisis*, 24th Annual Advanced Civil Appellate Practice Course, State Bar of Texas (Sept. 2-3, 2010)  
Manuel López & Lynnea Myers, *Introduction to Mandamus*, Nuts and Bolts of Appellate Practice, State Bar of Texas (Sept. 9, 2009)  
Manuel López, Scott Michelman, Nan Leverett & David A. Chaumette, *Experts and Reliability Under Daubert and Robinson*, 16th Annual Advanced Medical Malpractice Course, State Bar of

Texas (Mar. 12-13, 2009)

Manuel López, Scott Michelman, Nan Leverett & David A. Chaumette, *Experts and Causation: Evaluating Reliability Under Daubert/Robinson*, 22nd Annual Advanced Civil Appellate Practice Course, State Bar of Texas (Sept. 4-5, 2008)

Manuel López, *Expert Witnesses: Arguing Admissibility or Exclusion Under Daubert/Robinson: Effective Use of Experts*, How to Offer and Exclude Evidence, University of Houston Law Foundation (Mar. 6-7 & 13-14, 2008)

Manuel López & David A. Chaumette, *Expert Witnesses and Reports*, 24th Annual Litigation Update Institute, State Bar of Texas (Jan. 17-18, 2008), republished in *The Advocate*, The Litigation Section of the State Bar of Texas (Spring 2008), reprinting the best articles from the Litigation Update Institute

Manuel López, *Expert Witnesses and Reports*, 21st Annual Advanced Civil Appellate Practice Course, State Bar of Texas (Sept. 6-7, 2007)

Mark A. Behrens & Manuel López, *Unimpaired Asbestos Dockets: They Are Constitutional*, 24 *Rev. Litig.* 253 (2005)

Stephen E. Scheve & Manuel López, *New Developments in Federal Jury Unanimity*, 69 *Defense Counsel Journal* 379 (2002)

### **CLE Presentations**

*Introduction to Mandamus & Interlocutory Appeals*, Handling your First Civil Appeal 2012, State Bar of Texas (Feb. 10, 2012)

*Introduction to Mandamus & Interlocutory Appeals*, Handling your First Civil Appeal 2011, State Bar of Texas (Feb. 11, 2011)

*Re-Visiting an Old Friend—An Advocate's Guide to Stare Decisis*, 24th Annual Advanced Civil Appellate Practice Course, State Bar of Texas (Sept. 3, 2010)

*Introduction to Mandamus*, Nuts and Bolts of Appellate Practice, State Bar of Texas (Sept. 9, 2009)

*Experts and Causation*, 22nd Annual Advanced Civil Appellate Practice Course, State Bar of Texas (Sept. 5, 2008)

*Expert Witnesses*, How to Offer and Exclude Evidence, University of Houston Law Foundation (Mar. 7 & 13, 2008)

*Expert Witnesses and Reports*, 21st Annual Advanced Civil Appellate Practice Course, State Bar of Texas (Sept. 7, 2007)