

CAUSE NO. D-1-GN-14-005114

JAMES STEELE, et al., <i>Plaintiffs,</i>	§	IN THE DISTRICT COURT OF
	§	
	§	
vs.	§	TRAVIS COUNTY, TEXAS
	§	
GTECH CORPORATION, <i>Defendant.</i>	§	
	§	201 st JUDICIAL DIISTRICT
	§	

PLAINTIFFS' EXPERT DESIGNATIONS

To: Defendant, GTECH CORPORATION, by and through its attorney of record, Kenneth E. Broughton, Reed Smith, LLP, 811 Main Street, Suite 1700, Houston, Texas 77002.

Plaintiffs, STEELE, et al., make these expert disclosures as required by Texas Rule of Civil

Procedure 194.2(f) as follows:

A. Retained Experts

Dr. Ronald R. Butters, Ph.D.

- 1) Dr. Ronald R. Butters, Ph.D.
11356 Phoenix Circle
Naples, Florida 34119
Tel: 919-423-8866
E-mail: RonButters@mac.com
- 2) Dr. Ronald Butters will draw upon his knowledge of linguistics and the teaching of composition with particular reference to the recognition and avoidance of ambiguity in written documents to testify regarding the conclusions made by an ordinary reasonable speaker of contemporary American English when examining the language of Game 5 of the Fun 5's scratch-off ticket.
- 3) The general substance of Dr. Butters' opinions are as follows:
 - a. Ordinary reasonable speakers of contemporary American English would conclude from examining GAME 5 of the Texas Lottery Commission (TLC)'s 2014 "Fun 5's" scratch-to-play game card that the purchasers had won a prize that the undisclosed parameters of the game may not have been designed to award. If a game player scratches off the box labeled

“5X BOX” and finds a Money Bag “\$” symbol and then scratches off the “PRIZE” box, this will cause the game player to understand that he or she has won a prize that is five times the amount exposed by scratching off the “PRIZE” box. The relevant language of the GAME 5 card is the independent sentence, “Reveal a Money Bag ‘\$’ symbol in the 5X BOX, win 5 times that PRIZE.”

- b. It is my understanding that the parameters of the game were designed to award players who revealed a Money Bag ‘\$’ symbol 5 times the amount in the “PRIZE” box only if they had won the first (tic-tac-toe) stage of the game by scratching off, from among the nine star-symbol boxes, “three ‘5’ symbols in any one row, column or diagonal.” However, the fact that the instructions are framed as two separate sentences indicates to readers that the two parts of the game are independent; that is, the player has two chances to win. Readers will not infer that an if-then relationship exists between them merely because two sentences are in collocation one after another.
- c. Moreover, the understanding that GAME 5 of the “Fun 5’s” is a two-ways-to-win game is reinforced for players because three of the other four games are two-ways-to-win games. Moreover, by adding clarifying language to the second sentence, e.g., the words “bonus,” “multiplier,” or “the PRIZE won” (instead of the allegedly ambiguous “that PRIZE”), the language of GAME 5 could easily have been written to accurately reflect the parameters of the game. With respect to this latter point, speakers will not understand “that PRIZE” to refer to ‘a prize that has been won in the tic-tac-toe first part of the game’, but rather ‘the prize that is revealed under the “PRIZE” box’. The word *that* is a deictic pronoun; the default referent for a deictic pronoun in ordinary speaker understanding is the nearest and least complicated antecedent. In this case, the nearest and most uncomplicated antecedent is “PRIZE in PRIZE box.” The idea ‘prize that you would have won if you had won the tic-tac-toe portion of the game’ is not the nearest antecedent, and it is far too complicated and cognitively obscure to act as a reasonable antecedent.

The methodology used by Dr. Butters to arrive at his opinions is as follows:

- d. My opinions are based upon the application of general principles of the science of linguistics, particularly the branches of linguistics called syntax, discourse analysis, semantics, and semiotics. In addition, I have drawn upon my experience as scholar, teacher, and administrator in university writing programs that are dedicated to the teaching and production of clear and coherent writing.

Dr. Butters is likely to develop additional mental impressions and opinions as additional discovery materials become available for his review. Dr. Butters may also develop additional

mental impressions and opinions after reviewing the reports of Defendant’s experts. Dr. Butters will be made available for deposition if Defendant wishes to explore these additional mental impressions and opinions.

4) A). Dr. Butters has been provided with and has reviewed the following documents:

File no.	Exhibit no.	Bates range
001	13	GTECH 390-391
002	--	GTECH 918-923
003	26	GTECH 17-38
004	27	TLC 8374-8375
005	28	GTECH 95-101
006	96	GTECH 154-157
007	97	GTECH 183
008	98	GTECH 184-205
009	40	GTECH 854-878
010	101	TLC 5860
011	14-18	GTECH 599-603
012	19-21	GTECH 604-607
013	102	TLC 6506
014	103	TLC 6507
015	104	TLC 6532
016	105	TLC 8372-8373
017	108	TLC 6540-6541
018	106	TLC 7390-7392
019	114	TLC 6582-6583
020	115	TLC 6592
021	116	TLC 5750-5752
022	117	TLC 8376-8377
023	106	TLC 7392
024	118	TLC 7397-7398
025	--	TLC 6620-6621
026	--	TLC 6105
027	2	TLC 8356-8360
028	122	TLC 8361
029	--	TLC 6149
030	--	TLC 8378-8379
031	--	TLC 8390-8391
032	--	TLC 6210
033	125	TLC 7436
034	126	TLC 7435
035	--	TLC 6359
036	130	TLC 5753-5755
037	--	TLC 8380-8382
038	--	Fun 5’s Ticket
039	82-91	Multiplier tickets

B). Dr. Butters is an emeritus linguistics professor in the English Department and the Linguistic Program at Duke University, Durham, North Carolina. He served as Chairman, the Director of Undergraduate Studies, and Director of First-Year Writing, and taught courses in advanced composition. In his teaching and his scholarly career, he also specialized in the history, structure, meaning, and use of American English. He is a past president of the International Association of Forensic Linguists, the American Dialect Society, and the Southeastern Conference on Linguistics. In his testimony he will draw upon his knowledge of linguistics and the teaching of composition with particular reference to the recognition and avoidance of ambiguity in written documents. A copy of the current *curriculum vitae* for Dr. Butters is included as Exhibit "1".

B. Non-Retained Experts

Richard L. LaGarde

Richard L. LaGarde
LaGarde Law Firm, P.C.
3000 Wesleyan Street, Suite 380
Houston, Texas 77027
Tel. 713-993-0660

- 1) Mr. LaGarde will offer opinions about reasonable and necessary attorneys' fees generally, fee agreements and related matters, and reasonable and necessary fees for this matter. Specifically, Mr. LaGarde may offer opinions in areas including:
 - a. the reasonable and necessary attorneys' fees that should be awarded for the handling of this matter;
 - b. attorneys fee agreements generally;
 - c. the custom and practice of compensation for attorneys handling matters such as this litigation;
 - d. the Rules of Professional Conduct pertaining to attorneys' fees; and
 - e. the applicable case law pertaining to attorneys' fees and contingency fee agreements.

Mr. LaGarde may respond to any testimony offered by the Defendant's experts within an area of his expertise.

- 2) This case is ongoing and the results reached at present are preliminary in nature given that the case has not yet been concluded. At present, Mr. LaGarde has developed certain mental impressions and opinions in this case, including that:

- a. The fee agreements executed with all plaintiffs are reasonable;
- b. The total of such fees is reasonable and the fees were necessarily incurred;
- c. The total of such fees is reasonable in relation to the costs of similar professional services performed at similar levels of competence by attorneys of similar experience in the relevant area; and
- d. That the amounts charged to Plaintiffs for the legal services rendered were reasonable at the time and place such services were provided. At present, Mr. LaGarde has concluded that that the amounts charged to plaintiffs for the legal services provided and the amounts due and owing under the fee agreement, relative to the damages sought, were reasonable at the time and place such services were provided. The opinions Mr. LaGarde holds include consideration of the following factors:
 - i. the time and labor required,
 - ii. the attorneys' experience, ability, and reputation,
 - iii. the nature of the employment,
 - iv. the responsibility involved,
 - v. the novelty and difficulty of the questions involved,
 - vi. the nature and character of the claims and defenses asserted,
 - vii. the likelihood that the acceptance of the particular employment will preclude other employment by the lawyer,
 - viii. the fee customarily charged in the locality for similar legal services,
 - ix. the amount involved,
 - x. whether the fee is fixed or contingent, and
 - xi. the nature and length of the professional relationship with the client.

Because the work is ongoing in this case, Plaintiffs reserve the right to supplement these opinions as the case continues. The bases for these opinions include Mr. LaGarde's education, experience and training, the case file including all pleadings and discovery, Rule 1.04 of the Rules of Professional Conduct and the applicable case law on attorneys' fees.

- 3) Mr. LaGarde is expected to review the work undertaken in the case through the time of trial, including all motions and responses filed by the parties, counterclaims and defenses asserted, pleadings filed by the parties, the parties' discovery responses and production, and the depositions taken. Responsive information has been produced and/or is equally available to Defendant and will be provided for inspection upon reasonable request at a mutually convenient time.
- 4) A *curriculum vitae* for Mr. LaGarde is attached as Exhibit "2".

Manfred Sternberg

Manfred Sternberg
Attorney at Law
4550 Post Oak Place Dr. #119
Houston, Texas 77027
Tel. 713-622-4300

- 5) Mr. Sternberg will offer opinions about reasonable and necessary attorneys' fees generally, fee agreements and related matters, and reasonable and necessary fees for this matter. Specifically, Mr. Sternberg may offer opinions in areas including:
- f. the reasonable and necessary attorneys' fees that should be awarded for the handling of this matter;
 - g. attorneys fee agreements generally;
 - h. the custom and practice of compensation for attorneys handling matters such as this litigation;
 - i. the Rules of Professional Conduct pertaining to attorneys' fees; and
 - j. the applicable case law pertaining to attorneys' fees and contingency fee agreements.

Mr. Sternberg may respond to any testimony offered by the Defendant's experts within an area of his expertise.

- 6) This case is ongoing and the results reached at present are preliminary in nature given that the case has not yet been concluded. At present, Mr. Sternberg has developed certain mental impressions and opinions in this case, including that:
- a. The fee agreements executed with all plaintiffs are reasonable;
 - b. The total of such fees is reasonable and the fees were necessarily incurred;
 - c. The total of such fees is reasonable in relation to the costs of similar professional services performed at similar levels of competence by attorneys of similar experience in the relevant area; and
 - d. That the amounts charged to Plaintiffs for the legal services rendered were reasonable at the time and place such services were provided. At present, Mr. LaGarde has concluded that that the amounts charged to plaintiffs for the legal services provided and the amounts due and owing under the fee agreement, relative to the damages sought, were reasonable at the time and place such services were provided. The opinions Mr. LaGarde holds include consideration of the following factors:
 - i. the time and labor required,
 - ii. the attorneys' experience, ability, and reputation,

- iii. the nature of the employment,
- iv. the responsibility involved,
- v. the novelty and difficulty of the questions involved,
- vi. the nature and character of the claims and defenses asserted,
- vii. the likelihood that the acceptance of the particular employment will preclude other employment by the lawyer,
- viii. the fee customarily charged in the locality for similar legal services,
- ix. the amount involved,
- x. whether the fee is fixed or contingent, and
- xi. the nature and length of the professional relationship with the client.

Because the work is ongoing in this case, Plaintiffs reserve the right to supplement these opinions as the case continues. The bases for these opinions include Mr. Sternberg's education, experience and training, the case file including all pleadings and discovery, Rule 1.04 of the Rules of Professional Conduct and the applicable case law on attorneys' fees.

- 7) Mr. Sternberg is expected to review the work undertaken in the case through the time of trial, including all motions and responses filed by the parties, counterclaims and defenses asserted, pleadings filed by the parties, the parties' discovery responses and production, and the depositions taken. Responsive information has been produced and/or is equally available to Defendant and will be provided for inspection upon reasonable request at a mutually convenient time.
- 8) A *curriculum vitae* for Mr. Sternberg is attached as Exhibit "3".

C. Mixed Fact and Expert Witnesses

Witnesses identified by both Defendant and Plaintiffs as having knowledge of relevant facts may also express expert opinions based on their education, training, and experience. To the extent that any of them have opinions that are supportive of Plaintiffs' case, Plaintiffs hereby designate them as experts for purposes of those limited opinions. These potential mixed fact and expert witnesses include Joe Lapinski, Laura Thurston, Penny Whyte, Walter Gaddy, Dale Bowersock, Robert Tirloni, Gary Grief, and Dawn Nettles as well as the witnesses identified by Defendant in its Response to Plaintiffs' Request for Disclosure.

D. Additional Experts

Plaintiffs do not endorse the qualifications, if any, of Defendant's designated experts to render expert opinions at trial. Plaintiffs do not waive the right to challenge any and all opinions, offered by experts retained by the Defendant that are designated as expert witnesses or adverse expert witnesses, and who are not also specially retained by the Plaintiffs in this case.

Plaintiffs reserve the right to supplement this designation with additional designations of experts within the time limits imposed by the Court or any alterations of same by subsequent Court Order or agreement of the parties, or pursuant to the Texas Rules of Civil Procedure and/or the Texas Rules of Civil Evidence.

Plaintiffs reserve the right to elicit, by way of cross-examination, opinion testimony from experts designated and called by the other parties to the suit. Plaintiffs express their intention possibly to call, as witnesses associated with adverse parties, any of Defendant's experts.

Plaintiffs reserve the right to call un-designated rebuttal expert witnesses whose testimony cannot reasonably be foreseen until the presentation of the evidence against Plaintiffs.

Plaintiffs reserve the right to withdraw the designation of any expert and to aver positively that such previously designated expert will not be called as a witness at trial, and to re-designate same as a consulting expert, who cannot be called by opposing counsel.

Plaintiffs reserve the right to elicit any expert opinion or lay opinion testimony at the time of trial which would be truthful, which would be of benefit to the jury to determine material issues of fact, and which would not violate any existing Court Order or the Texas Rules of Civil Procedure.

Plaintiffs hereby designate, as adverse parties, potentially adverse parties, and/or as witnesses associated with adverse parties, all parties to this suit and all experts designated by any part to this suit, even if the designating party is not a party to the suit at the time of trial. In the event a present or future party designates an expert but then is dismissed for any reason from the suit or fails to call any designated expert, Plaintiffs reserve the right to designate and/or call any such party or any such experts previously designated by any party.

Plaintiffs reserve whatever additional rights they may have with regards to experts, pursuant to the Texas Rules of Civil Procedure, the Texas Rules of Civil Evidence, the case law construing same, and the rulings of the Trial Court.

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing instrument was served upon the attorneys of record of all parties to the above cause in accordance with Texas Rules of Civil Procedure on the 10th day of August, 2015.

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RICHARD L. LAGARDE

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July 7, 2015

Education

The University of Iowa, Iowa City, 1958–1962, degree: B.A. with Honors and Highest Distinction in English, June 1962. Phi Beta Kappa, 1961.
The University of Iowa, Iowa City, 1962–1967, degree: Ph.D. in English (with concentration in linguistics), August 1967.

Teaching and Administrative Experience

1967–1974, Assistant Professor of English, Duke University; 1974–90, Associate Professor of English, Duke University; 1990–2007, Professor of English, Duke University; 2000–2007, Professor of Cultural Anthropology, Duke University (secondary appointment). As of September 1, 2007, Professor Emeritus, Duke University.
Summer 1986, Visiting Professor of English Linguistics, University of Bamberg, (West) Germany (Fulbright award).
February 1989, Visiting Professor of English Linguistics, Cadi Ayyad University, Marrakech (Duke-in-Morocco Program).
September 2005, Visiting Professor, International Summer School in Forensic Linguistic Analysis, Lodz, Poland (“Linguistic and Semiotic Evidence in a Death Penalty Case” and “Linguist Issues in American Trademark Law”).
September 2006, Visiting Professor, International Summer School in Forensic Linguistic Analysis, Birmingham, England (“Linguist Issues in American Trademark Law: 2006” and “Linguistic and Semiotic Evidence in American Death Penalty Cases”).
1975–80, 1986–88, 1997–99, Director of Undergraduate Studies in English; 1981–84, Supervisor of Freshman Instruction in English; Spring 1992 and Fall 2000, Acting Chair, Department of English; 1992–95, Associate Chair, Department of English; July 1999–December 1999 and July 2005–July 2006, Interim Chair, Department of English.
1970–72, 1976–77, 1982–96, 1999–2003, 2005–2006, Chair, Duke University Linguistics Program.
1999–2007, Co-Director, North Carolina State University–Duke University Doctoral Program in English Sociolinguistics.
2010, Universitat Pompeu Fabra, Barcelona, Spain, May 10–12, 2010. [“Trademarks”: 9 hours of invited lectures.]
2011, Visiting Professor, International Summer School in Forensic Linguistic Analysis, Aston University, Birmingham, England, July.
2012, Universitat Pompeu Fabra, Barcelona, Spain, May 7–10, 2012. [“Trademarks”: 9 hours of invited lectures; “Patents”: 4 hours of invited lectures]

Teaching Areas

The structure of modern English and present-day usage; the history of the English language; sociolinguistics, including American dialects, languages in contact, and Caribbean linguistics; language and law, linguistics of trademarks; discourse analysis, pragmatics, and semiotics; introduction to literature.

Editorial and Professional Experience

- 1969–76, Member of the Associate Editorial Board, *Papers in Linguistics*; 1979, editorial referee, *American Speech*; 1980–81, member of the Editorial Advisory Committee, *American Speech*; 1983–90, member of the Editorial Advisory Board, *Jewish Language Review*; 1985–90, member of Editorial Board, *Journal of Metaphor and Symbolic Activity*; 1981–95, editor, *American Speech*; 1996–2007, General Editor, American Dialect Society Publications and Editor of Publication of the American Dialect Society (PADS, the monograph series); 2007–10, co-editor, *The International Journal of Speech, Language and the Law*.
1999–, Editorial Advisory Board member, *New Oxford American Dictionary*.
2013–, Editorial Advisory Board member, *International Journal for the Semiotics of Law/Revue Internationale De Semiotique Juridique*.
2014–, Scientific Advisory Board member, Catalyst Behavioral Sciences

Publications and Presentations

1. Articles and Chapters of Books (those marked * were also presented at the indicated scholarly gatherings)
- *“Lexical Selection and Linguistic Deviance,” *Papers in Linguistics* 1.1 (1969), 170–81. [revision of paper read at the Southeastern Conference on Linguistics meeting in Gainesville, FL, 1969]
“On the Interpretation of ‘Deviant Utterance’,” *Journal of Linguistics* 6.1 (Feb. 1970), 105–10.
“Dialect Variants and Linguistic Deviance,” *Foundations of Language* 7.2 (1971), 239–54.
*“On the Notion ‘Rule of Grammar’ in Dialectology,” *Papers from the Seventh Regional Meeting, Chicago Linguistic Society, Apr. 16–18, 1971* (Chicago: Chicago Linguistics Society), 307–15.
“A Linguistic View of Negro Intelligence,” *The Clearing House* 46.5 (1972), 259–63. Repr. in *Current Readings in Urban Education*. Ed. by Richard R. Heidenreich (Arlington VA: College Readings, Inc., 1972), 223–27.
“Competence, Performance, and Variable Rules,” *Language Sciences* 20 (1972), 29–32.
“Results of Questionnaire [Concerning Variation Theory],” *Lectological Newsletter* no. 1 (1972), 1–11. [with Derek Bickerton, Henrietta Cedergren, David Sankoff, Gillian Sankoff, Charles-James N. Bailey, & Ralph Fasold]
*“Acceptability Judgments for Double Modals in Southern Dialects,” *New Ways of Analyzing Variation in English*. Ed. by Charles-James N. Bailey and Roger W. Shuy (Washington, DC: Georgetown Univ. Press, 1973), 276–86. [papers from the First Annual NWAWE Conference]
*“Black English {-Z}: Some Theoretical Implications,” *American Speech* 48.1–2 (1973 [1975]), 37–45. [revision of paper read at the Linguistic Society of America Winter Meeting in St. Louis, MO, 1971]
“The Basics in Grammar,” *Arizona English Bulletin* 18.2 (1976), 42–44.
“Variability in Indirect Questions,” *American Speech* 49.3–4 (1974 [1977]), 230–34.
“Why Teach Modern Grammar?” *Questions English Teachers Ask*. Ed. by R. Baird Shuman (Rochelle Park, NJ: Hayden, 1977), 143–54.
“More on Indirect Questions,” *American Speech* 51.1–2 (1976 [1980]), 57–62.
“Narrative go ‘say’,” *American Speech* 55.4 (1980), 304–7.
*“Unstressed Vowels in Appalachian English,” *American Speech* 56.2 (1981), 104–10. [revision of paper (“Towards a Unified Perspective on Final Unstressed Vowels in Appalachian English”) read at the South Atlantic Section, American Dialect Society, 1978] Repr. in *Dialect and Language Variation*, ed. by Harold B. Allen and Michael D. Linn (Orlando: Academic Press, 1986), 198–204.]
“Remedial English, Social Dialects, and the Academically ‘Elite’ University,” *Duke Univ. Academic Skills Center Working Papers*, 1980.
“A Comment on Sociolinguistics and Teaching Black-Dialect Writers,” *College English* 43.6 (1981), 633–36.
*“Do ‘Conceptual Metaphors’ Really Exist?” *The SECOL Bulletin* 5.3 (1981), 108–17. [first read as a paper at the Southeastern Conference on Linguistics meeting in Richmond, VA, 1981]
“Another Point of View,” *Faculty Newsletter, Duke University* 2.7 (Apr. 1981), 9.
“Dropping the /h/ from *who*,” *American Speech* 57.2 (1982), 43.
“More on *duck butter*,” *American Speech* 57.2 (1982), 107.
“Quotative *like*,” *American Speech* 57.2 (1982), 149.
“On Language,” *The New York Times Magazine*, 25 July 1982.
“Dialect at Work: Eudora Welty’s Artistic Purposes,” *Mississippi Folklore Register* 16.2 (1982), 33–40.
“Sunbelt English,” *The New York Times Magazine*, 21 Aug. 1983, 11–12.
“Syntactic Change in British English ‘Propredicates,’” *Journal of English Linguistics* 16 (1983), 1–7.
“Final Vowels in English,” *The SECOL Review* 7.2 (1983), 1–12.

- “-Ologies, -isms, and Dictionary Making,” *The Guide* (Sept. 1983), 26–27. Repr. in the Los Angeles *Herald-Examiner*, 12 Sept. 1983.
- “Talkin’ Like a Native,” *The Guide* (Nov. 1983), 21.
- “Three Traps that Prevent One From Thinking Straight,” How to Think Straight Series, Office of the President, Duke Univ., Jan. 1984.
- *“When is English ‘Black English Vernacular?’” *Journal of English Linguistics* 17 (1984), 29–36. [first read as a paper at the Tenth Annual NWAWE Conference, Philadelphia, 1981]
- “-Ologies and -ologists,” *American Speech* 59.3 (1984), 266–67. [Stewart Campbell Aycock, 2nd author]
- “Understanding the Patient: Medical Words the Doctor May Not Know,” *North Carolina Medical Journal* (July 1985), 415–17. [Jeremy Sugarman, first author]
- “Old Curiosity Shop,” *American Speech* 60.3 (1985), 249. [on *There you go!* as an affirmative interjection]
- “More on Irony Versus Sarcasm,” *The Metaphor Research Newsletter*, 4.2 (1985), 4–7.
- *“Existential and Causative *have . . . to*,” *American Speech* 61.2 (1986), 184–90. [Kristin Stettler, 2nd author] [first read as a paper at the 14th Annual NWAWE Conference, Georgetown Univ., 1985]
- “More Medical Words the Doctor May Not Know,” *North Carolina Medical Journal* (Dec. 1985), 384. [Jeremy Sugarman, first author]
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- Barbara Leeds, *Fairy Tale Rap: "Jack and the Bean Stalk" and Other Stories*, 1990; *American Speech* 66 (1991), 104.
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James Milroy and Leslie Milroy, *Authority in Language: Investigating Standard English*. Third edition, 1999. *American Literature* 72 (2000), 668–69.

6. Conference Papers and Invited Lectures (unpublished only; published conference papers are listed in [1] above)

- “Concerning Linguistic Studies of Literary Style,” North Carolina State Univ. Graduate English Society, 26 Feb., 1971 [invited lecture].
- “On the Nature of Linguistic Data,” Univ. of North Carolina Linguistics Circle, 14 Oct. 1971 [invited].
- “The Psychological Reality of Sociolinguistic Models,” Georgetown Univ. Sociolinguistics Seminar, 6 Dec. 1972 [invited].
- “What is ‘Data’ in the Expanding Domain of Linguistics?” Conference on “The Expanding Domain of Linguistics,” Univ. of Texas at Austin, 26–27 Mar. 1973 [invited].
- “Have (to),” Linguistic Society of America Summer Meeting, Ann Arbor, Michigan, July 1973.
- “Linguistic Variation in Wilmington, N.C.,” Southern Anthropological Society, Blacksburg, Virginia, Apr. 1974.
- “Getting a Linguistics Program Started?” South Atlantic Modern Language Association, Dec. 1974 [invited].
- “A Linguistic View of the Basics in English,” Symposium on “What’s Behind the Basics,” Univ. of North Carolina at Greensboro, 1976 [invited].
- “What’s Worth Teaching in the Language Arts,” North Carolina State Department of Human Resources, Division of Youth Services, First Annual Teachers Conference, Raleigh, NC, 1977 [invited].
- “ARGUMENT IS WAR: Lakoff and Johnson on *Metaphors We Live By* Once in a While,” Department of English, Univ. of Tennessee at Knoxville, 25 Nov. 1980 [invited].
- “How to Read What You are Trying to Write,” Duke Univ. East/West Conference, 25 Sept. 1980 [invited].
- “Can White Folks Speak Black English?” Virginia Commonwealth Univ. Linguistics Circle, Richmond, 4 Dec. 1981 [invited].
- “Dialect Interference in the Writing Process,” State of North Carolina Department of Public Instruction Reading/Writing Institute, Wake Forest Univ., 22 June 1982 [invited].
- “Benjamin Franklin, Orthoepist,” Philological Association of the Carolinas, Chapel Hill, NC, 2 Mar. 1984.
- “Problems of Scholarly Publishing in the Field of Dialectology,” Midwestern Modern Language Association, 1 Nov. 1984 [panel discussion; invited].
- “Language and Law: Applied Linguistics,” Southeastern Conference on Linguistics, Univ. of South Carolina, Columbia, 1985.
- “The Linguist as Expert Witness,” Conference on Language in the Judicial Process, Georgetown Univ., 27 July 1985 [interest group leader; invited].
- “Come Here Till I Punch You on the Nose,” American Dialect Society, Chicago, 1985. [Beth Day, 2d author]
- “From Tape and Questionnaire: Labovian and Post-Labovian Methodologies,” Philological Association of the Carolinas, Charleston, SC, 1986.
- “Linguistic Convergence in a Southern Community,” Univ. of North Carolina at Chapel Hill, 18 Mar. 1986 [invited].
- “Sociolinguistic Convergence and Divergence,” Universität Bamberg, 28 May 1986 [invited].
- “Sociolinguistic Convergence in the American South,” Universität Freiburg, 2 June 1986 [invited]; Universität Stuttgart, 19 June 1986 [invited]; Universität Bamberg, 18 June 1986 [invited]; Technical Univ. of Aachen, 7 July 1986 [invited].
- “The Death of Black English?” Univ. of Georgia, Athens, 29 May 1987 [invited].
- “The Double Modal in U.S. Black English,” Sixteenth Annual NWAWE Conference, Univ. of Texas, Austin, 1987.
- “The Death of Black English,” South Atlantic Modern Language Association, Atlanta, 1987.
- “The Future of Black English: The Status of the Convergence/Divergence Controversy,” Department of Linguistics, Univ. of South Carolina, Columbia, 1988 [invited].
- “Current Issues in Convergence and Divergence,” Texas A&M Univ., 1988 [invited].
- “Linguistic Profit,” Southeastern Conference on Linguistics, Norfolk, VA, 1989.
- “The Death Penalty Verdict: Language, Race, and Bigotry in a Rural Southern Courtroom,” Eighteenth Annual NWAWE Conference, Duke Univ., 1989.
- “Incorporating Dialect Diversity into the English Classroom,” NCTE, Baltimore, 1989. [discussant]
- “Oldest Living Confederate Widow Tells More Than She Knows: Dialect, Fiction, and Capital Crimes,” Philological Association of the Carolinas, Myrtle Beach, SC, 1990 [invited plenary lecture].

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- “Linguistic Dimensions of the Death Penalty in the American South,” Law and Society Association (session on Legal Applications of Scholarly Knowledge: Linguists as Expert Witnesses), Oakland, CA, 1990 [invited].
- “Issues in Language and Law,” Institut für Englische Philologie, Freie Universität Berlin, 19 July 1990 [invited].
- “‘What is About to Take Place Is a Murder’: Construing the Racist Subtext in a Small-Town Virginia Courtroom,” North Carolina State Univ. Linguistics Forum, Raleigh, North Carolina, 1 Feb. 1991.
- “The Slang Meanings of *suck* in American English: What a Trial Judge and Jury Might Need to Know,” Thirteenth Annual Spring Linguistic Colloquium, Linguistic Circle of the Univ. of North Carolina, Chapel Hill, March 1993.
- “Appropriating the Exotic Identity: Sociolinguistic Perspectives on the Moroccan-American Triple Bind,” Conference on “Croisement des Cultures: Monde Arabe–USA,” Cadi Ayyad Univ., Marrakech, Morocco, 16 Apr. 1993 [invited].
- “This Case Sucks!: Free-Speech Issues in Anti-Drug Propaganda and Public High Schools,” Law and Society Association (session on Linguists in the Judicial Process), Chicago, May 1993.
- “The Imitation of Dialect for Illegal Purposes: An Empirical Study,” Twenty-Second Annual Conference on New Ways of Analyzing Variation in English and Other Languages, Oct. 1993 [Thomas Espy, and Kent Altsuler, 2nd authors].
- “The Imitation of Dialect for Illegal Purposes: An Empirical Study,” Triangle Linguistics Club, Research Park, NC, Oct. 1993 [invited paper; Thomas Espy, and Kent Altsuler, 2nd authors].
- “The Imitation of Dialect for Illegal Purposes,” Law and Society Association (session on Linguists in the Judicial Process), Phoenix, AZ, June 1994.
- “How Private is Your Toilet? Anatomy of a Harmful-Speech Debate,” Fourth Annual Lavender Languages and Linguistics Conference, The American Univ., Washington, DC, 27 Sept. 1996 [Jason D. Hall, 2d author].
- “Why Dictionaries Can’t Deal Adequately with *redskins*,” “Dictionary Society of North America, Madison, WI, May 1997.
- “What Patients Really Know about the Terms Used in Obtaining Informed Consent: False Comfort, Unreasonable Fear, and ‘Medical Research,’” Third Biennial Conference, International Association of Forensic Linguists, Duke Univ., Durham, NC, 5 Sept. 1997 [Jeremy Sugarman, 2d author, and Lyla Kaplan, 3d author].
- “Variation and Terms for ‘Medical Research’: Unreasonable Fear Versus Informed Consent,” American Dialect Society Annual Meeting, New York City, 10 Jan. 1998. [Lyla Kaplan, 2d author, and Jeremy Sugarman, 3d author]
- “Legal and Ethical Considerations in Informed Consent Discussions: Lexical Choice for Terms Relating to ‘Medical Research,’” Law and Society Association, Aspen, Colorado, June 1998. [Lyla Kaplan, 2d author, and Jeremy Sugarman, 3d author]
- “Virtuous Prescriptivism,” American Dialect Society Annual Meeting, Los Angeles, 9 January 1999.
- “Language and Law: Three Case Studies in Forensic Linguistics,” Department of Linguistics, Univ. of Georgia, 23 April 1999. [invited lecture]
- “Pushing the *Envelope*: Talking Fancy Across Gender and Region,” 28th Annual Conference on New Ways of Analyzing Variation in English and Other Languages, Toronto, October 1999. [Boyd Davis, first author]
- “‘We didn’t realize that lite beer was supposed to suck!’: The Putative Amelioration of *X sucks!* in American English,” American Dialect Society, January 6, 2000.
- “Variation in Interpretation: Ideological Responses to a ‘Harmful’ Flier—Part II: Public Responses,” 29th Annual NWAWE Conference, Michigan State Univ., October 2000.
- “Emma Gets her Driving License: Life Imitating Art in Oral Narratives,” South Atlantic Modern Language Association, Birmingham, Alabama, 12 November 2000.
- “Literary Qualities in Sociolinguistic Narratives of Personal Experience,” American Dialect Society Presidential Address, January 2001.
- “Linguistics Across the Curriculum,” Southeastern Conference on Linguistics,” Knoxville, Tennessee, 6 April 2001 (invited panel member).
- “The Role of Linguistics in Regional Humanities Centers,” Southeastern Conference on Linguistics,” Knoxville, Tennessee, 6 April 2001 (invited panel member).
- “Genericness in Lexicography, General Linguistics, and American Trademark Law,” Fifth Biennial Conference, International Association of Forensic Linguists, University of Malta, July 2001.
- “Electronic Searches as Sources of Data for Social Variation in the Lexicon,” 3rd UK Language Variation and Change Conference, University of York, July 19–22, 2001.

CURRICULUM VITAE of Ronald R. Butters, July 7, 2015

- “Current Sociolinguistic Issues in African American Vernacular English,” International Association of University Professors of English, Jubilee Conference, University of Bamberg, Germany, July 29- August 4, 2001 (invited paper).
- “Genericness in Lexicography, General Linguistics, and American Trademark Law,” 30th Annual Conference on New Ways of Analyzing Variation in English and Other Languages, Raleigh, NC, October 2001. [invited paper].
- “The Emergence of Hispanic English in the Rural South,” Southeastern Conference on Linguistics, Memphis, Tennessee, 20 April 2002. [4th author, with Beckie Moriello, Walt Wolfram, and Michael Oles]
- “Trademark, Metaphor, and Synecdoche in Dictionary Labeling,” Dictionary Society of North America, Durham, North Carolina, May 2003. [Jennifer Westerhaus, first author]
- “Trademark Genericide in Specialized Communities,” Sixth Biennial Conference, International Association of Forensic Linguists, University of Sydney, Sydney, Australia, July 2003. [Jennifer Westerhaus, first author]
- “Variation in Southern Trademarks: Regionalisms that One May Can Own,” Third Conference on Language Variation in the South, Tuscaloosa, Alabama, April 17, 2004.
- “Global Influence on the Rate of Trademark Genericide,” Law and Society Association, Chicago, IL, May 29, 2004. [Jennifer Westerhaus, 1st author]
- “Evidence of the Rehearsal of a Videotaped Confession as Support for a Diminished Capacity Defense in USA Death-Penalty Trials,” Cardiff University Conference on Forensic Linguistics, Gregynog Hall, University of Wales, July 5, 2004.
- “Fay Etrange of Kuntzville: Names in Queer Novels before Stonewall,” American Name Society, Oakland, CA, January 6, 2005.
- “The Linguist as Dictionary,” Southeastern Conference on Linguistics, Raleigh, NC, April 9, 2005. [Jackson Nichols, 1st author]
- “The Credentials of Linguists Testifying in American Trademark Litigation,” Law and Society Assoc., June 3, 2005.
- “The Dictionary Treatment of Similatives,” Dictionary Society of North America, Boston, MA, June 9, 2005. [Sarah Hilliard, 2nd author]
- “Similatives in Recent English: The Case of *whisper quiet*,” First International Conference on the Linguistics of Contemporary English, Edinburgh, Scotland, 25 June 2005.
- “What Can Go Wrong When Linguists Testify in American Trademark Litigation,” International Association of Forensic Linguists, Cardiff, Wales, July 3, 2005. [Jackson Nichols, 2nd author]
- “The Credentialing of Linguists Who Testify in American Trademark Litigation,” Language and the Law: East meets West, Department of English Language, University of Lodz, Poland, September 12–14, 2005.
- “The American Linguistic Consultant in American Trademark Litigation: Current Issues,” European Forensic Linguistic Conference, Barcelona, Spain, September 14, 2006. [invited plenary lecture]
- “Discourse Analysis: Instant Messages and ‘Sexual Predator’ Prosecutions,” Department of Linguistics, University of Florida, Gainesville, March 1, 2007. [invited lecture]
- “Forensic Linguistics and American Trademark Law,” Department of Linguistics, Georgetown University, Washington, DC, April 10, 2007. [invited 90-minute lecture]
- “The discourse of operatives working to catch sexual predators in IM messages,” Department of Linguistics, Georgetown University, April 11, 2007. [invited lecture]
- “Legal Evidence and Lexicographical Methodology: *Life’s Good*,” Dictionary Society of North America, Chicago, June 2007.
- “Discourse Analysis of Instant Messages Used as Incriminating Evidence in ‘Sexual Predator’ Prosecutions,” International Association of Forensic Linguists, Seattle, July 2007. [Tyler Kendall & Phillip Carter, 2nd and 3rd authors]
- “*Perverved Justice*: The Instant Messages of Some Convicted ‘Sexual Predators’, ” Law and Society Association, Berlin, Germany, July 2007. [Phillip Carter and Tyler Kendall, 2nd and 3rd authors]
- “IM Traps and Broadcast Surprises: *Perverved Justice* on NBC-TV,” Georgetown University Round Table Conference in Linguistics, Washington, DC, March 14–16, 2008. [Phillip Carter and Tyler Kendall, 2nd and 3rd authors]
- Co-chair (with Edward Finegan, University of Southern California), Organized Session on “Ethical Issues in Forensic Linguistic Consulting,” Linguistic Society of America, San Francisco, California, January 2009.
- “The Forensic Linguist’s Professional Credentials,” Organized Session on “Ethical Issues in Forensic Linguistic Consulting,” Linguistic Society of America, San Francisco, California, January 2009. [session organized by Edward Finegan and Ronald Butters]

CURRICULUM VITAE of Ronald R. Butters, July 7, 2015

- “Forensic Linguistics and Linguistics Scholarship,” Southeastern Conference on Linguistics, Tulane University, New Orleans, Louisiana, April 6–9, 2009 [invited plenary lecture]
- “A Harmless Drudge at Work: The Thoroughly Tedious Etymology of *crack* ‘smokable cocaine,’” Dictionary Society of North America, Bloomington, Indiana, May 2009.
- “Resolving Unresolvable Ambiguity in an Expert Witness’s Testimony: A Court Reporter’s Impossible Task in An American Death-Penalty Trial,” International Association of Forensic Linguists, Amsterdam, The Netherlands, July 2009. [Tyler Kendall, second author]
- “Forensic Linguistics,” Universität Bamberg, Germany, April 27, 2010. [invited lecture]
- “The Divergence Controversy Revisited,” Universität Regensburg, Germany, April 29, 2010. [invited lecture]
- “Trademarks as Linguistic Objects,” Masaryk University, Brno, Czech Republic, May 3, 2010. [invited lecture]
- “ ‘I am a needy petite woman’: Judging the Real Age of Participants in IM Sex Talk ‘Enticement’ Conversations.” Aston University, Birmingham, England, May 5, 2010. [invited lecture]
- “Trademarks as Linguistic Objects in Civil Litigation,” Aston Univ., Birmingham, England, May 6, 2010. [invited lecture]
- “*Chocolate chip* and the Silent Subreption of the Lexicon: A Forensic Linguist at Work,” Dictionary Society of North America, Montreal, May 2011.
- “Imaginative Leaps in Trademark Law,” International Association of Forensic Linguists, Aston University, Birmingham, England, July 2011.
- “Ethics in Forensic Linguistics,” International Association of Forensic Linguists, Aston University, Birmingham, England, July 2011. [invited plenary lecture]
- “Linguistics, Trademarks, and Deceptive Advertising,” Georgetown University Linguistics Department, November 7, 2011. [invited lecture]
- “ ‘I’m Off to Save Prostates!’: A Linguist Cautions the FTC about Humor and Deception in Advertising,” Department of Linguistics, University of California at Davis, April 25, 2012.
- “ ‘I’m Off to Save Prostates!’ The Role of Antic Humor in Putatively Deceptive Pomegranate Juice Advertisements,” West Coast Roundtable on Language and Law, July 27, 2012, Simon Fraser University, Burnaby, Vancouver, Canada.
- “I’m Off to Save Prostates!”: Linguistics and Advertising in the Undergraduate Linguistics Curriculum, Southeastern Conference on Linguistics, Spartanburg, South Carolina, April 5, 2013.
- “Down on the *pharm*: ‘Convenience’ Abbreviations in Authoritative Dictionaries,” Dictionary Society of North America, Athens, Georgia, May 25, 2013.
- “Likelihood of Linguistic Confusion of Trademarks in Two US Language Communities: The Case of *Casique* versus *Casica*,” International Association of Forensic Linguists, Mexico City, June 26, 2013.
- “Reading Images: Semiotic Linguistic Analysis in Civil Litigation,” West Coast Roundtable on Language and Law, California Appellate Project, San Francisco, CA, August 2, 2013.
- Prominence, Markedness, and Salience: Linguistic Analysis of the Use of Allegedly Proprietary Language in Advertising,” Southeastern Conference on Linguistics, Myrtle Beach, South Carolina, March 29, 2014.

Other Professional Activities

- Southeastern Conference on Linguistics: Member of the Executive Committee, 1969–70, 1984–86; Member of the Nominating Committee, 1972–74; Program Committee Member, 1981–84; Vice-President, 1982; President, 1983; Local Arrangements Committee Chair, Spring meeting, Duke Univ., 23–24 Mar. 1984.
- Secretary of the Linguistics Section, South Atlantic Modern Language Association, 1970; Chairman 1971.
- National Endowment for the Humanities Grant: Linguistic Variation in the Spoken English of North Carolina, 1973–74.
- Chairman, South Atlantic Section, American Dialect Society, 1979; Nominating Committee member 1980–82.
- Consultant, Alamance County Schools Junior High Program for Gifted Students, 29 Oct. 1980. Consultant, Lexington Senior High School English Program, 1981. Consultant, Project on Linguistics in the Undergraduate Curriculum, Linguistic Society of America, 1985–86. Consultant, “English and the American South,” Tennessee Humanities Council, Apr. 1989.
- Consultant on historical dialects of American English for Journey Communications, Alexandria, VA, 1993 (dialects of actors portraying figures in the life of Thomas Jefferson—production for PBS). Consultant for various publishers, including NCTE, Duke Univ. Press, Scott Foresman, D.C. Heath, Univ. of Alabama Press, Univ. of Wisconsin Press, Pergamon Press, Blackwell, Cambridge Univ. Press, and Prentice-Hall. Consultant, various years, to other universities (promotion and tenure decisions). National Endowment for the Humanities research proposal evaluator, various years beginning 1984.
- Panel Member, Soundings, “The State of the Language,” National Humanities Center’s weekly public affairs radio program (distributed in five parts to 250 U.S. radio stations and the Voice of America), Spring 1983. Second panel, “American English Today,” broadcast Fall 1984.

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Member of Advisory Committee, Compendium of Non-Mainstream English, Center for Applied Linguistics, Washington, DC, 1984–86.

Advance Placement Examination reader in English Literature, Educational Testing Service, Princeton, NJ, June 1985.

National Science Foundation research proposal evaluator, various years beginning 1987.

Member, Executive Committee, Modern Language Association Division on Language Theory, 1988–1993. Chair, 1991.

Visiting Scholar, Center for Applied Linguistics, Washington, DC, 1 Dec. 1988–1 June 1989.

Program Organizer (for the American Dialect Society) of the Joint Conference of the American Dialect Society and the Society for Caribbean Linguistics, Trinidad, 27–30 Aug. 1986. Organizer, “Linguistics and Legal Issues,” American Dialect Society and the Linguistic Society of America, Chicago, 5 Jan. 1991. Organizer, Eighteenth Annual Conference on New Ways of Analyzing Variation in English and Other Languages, meeting at Duke Univ., 20–22 Oct. 1989. Organizer, “Linguists in the Judicial Process,” Law and Society Association (meeting in Chicago, May 1993). Organizer, Triangle Linguistics Club, Research Triangle Park, North Carolina (with Walt Wolfram, North Carolina State Univ., and Randy Hendrick, Univ. of North Carolina, Chapel Hill), 1994–. Organizer, “Language in the Judicial Process,” Law and Society Association (meeting in Phoenix, June 1994). Organizer, “Special Symposium: Linguistic Theory in the 1980s,” Southeastern Conference on Linguistics, 1985. Local Arrangements Committee Chair, International Association of Forensic Linguists (September 1997 meeting). Local arrangements committee chair, meeting of the Dictionary Society of North America at Duke University, Durham, North Carolina, May 29–31, 2003. “The Forensic Linguist’s Professional Credentials,” Organized Session on “Ethical Issues in Forensic Linguistic Consulting,” Linguistic Society of America, San Francisco, California, January 2009. [session organized by Edward Finegan and Ronald Butters].

Member of the Delegate Assembly, Modern Language Association (for the Division on Language Theory), 1991–94.

American Dialect Society Delegate to the American Council of Learned Societies, 1992–96.

Vice President, American Dialect Society, 1997–98; President 1999–2000.

Member of the Advisory Board, Linguistic Atlas of the Middle and South Atlantic States, 1981–.

Member of the Advisory Board, United States Dictionaries Program, Oxford Univ. Press, 1997–.

Vice President, International Association of Forensic Linguists (IAFL), 2007–8. Acting President, IAFL, 2008–9. President, IAFL, 2009–11; Member of the IAFL Executive Committee, 2011–15.

Member, Linguistic Society of America Committee on Professional Ethics (current).

Professional Organizations and Memberships

American Dialect Society, American Name Society, Dictionary Society of North America, International Association of Forensic Linguists, Linguistic Society of America, Southeastern Conference on Linguistics (founding member), International Language and Law Association (founding member), *Who’s Who in America* 1995–.

Richard L. LaGarde

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Houston, TX 77027
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(713) 443-3569 (cell)
Richard@LaGardeLaw.com

Summary

- Over 30 years of experience as a first-chair trial lawyer in the state and federal courts of Texas and Louisiana;
- Lead trial lawyer in both domestic and international arbitrations;
- Selected as a "Super Lawyer" by Texas Monthly magazine in 2003-2005 and 2007-2011;
- Past President of the Houston chapter of the American Board of Trial Advocates;
- Past President of the Houston Trial Lawyers Association;
- Board-certified in both civil trial and personal injury trial law, a distinction achieved by less than 0.5% of Texas attorneys;
- Peer-reviewed reputation for honesty and professionalism;
- Known by clients and opponents as being a pragmatic problem solver; and,
- Licensed to practice law in Texas, Louisiana, and Florida.

Areas of Litigation Experience

- Oil & Gas
- Admiralty & Maritime
- International Arbitration
- Business Torts
- Contract Disputes
- Personal Injury
- Wrongful Death
- Breach of Contract
- Insurance Coverage
- Partnership Disputes
- Business Interruption Claims
- 18-Wheeler Collisions
- Shareholder Disputes
- Labor & Employment Claims
- Products Liability
- Subrogation
- Property Damage
- Industrial Accidents
- Business Fraud
- Trade Secrets
- Environmental Claims
- Aviation Disasters
- Maritime Accidents
- Vehicular Accidents

Experience

September 1992 to
Current

LaGarde Law Firm
Houston, TX
Shareholder

- Obtained temporary injunction for Fortune 500 oil service company to prevent three management level employees from bringing trade secrets to industry competitor;
- Recovered major losses related to auction rate securities for Houston oilfield service company;
- Successfully defended Oklahoma-based exploration company in five suits brought in three East Texas counties by dissatisfied landowners (all cases dismissed without a penny having been paid);
- Defended Lafayette exploration company in suit involving plugging and abandonment costs for offshore well and decommissioning costs for production platform;
- Represented Houston exploration company in suit over negligent installation of steel jacket for offshore production platform;
- Represented Oklahoma-based exploration company in suit to recover damages for loss of production platform during Hurricane Rita;
- Defended Houston oil service company in collective action brought by former employees under Fair Labor Standards Act;
- Represented Louisiana exploration company in declaratory judgment action to determine meaning of “early termination” clause in IADC drilling contract;
- Obtained arbitration ruling for Louisiana exploration company against joint venture partner in contract dispute;
- Represented Louisiana exploration company in arbitration over production rights in co-owned zone;
- Recovered damages for Dallas exploration company in international arbitration against Chinese National Petroleum Company due to breach of agreement to jointly develop leases in Peru;
- Represented Louisiana oil service company in arbitration against Houston hedge fund over failure to perform payment obligations under purchase agreement; and,
- Represented hundreds of individuals in products liability, personal injury, and wrongful death claims in both Texas and Louisiana.

- January 1986 to
September 1992
- Fisher, Gallagher, Perrin, & Lewis
Houston, TX
Partner
- Recovered damages for Louisiana operator for loss of well due to defective wireline;
 - Recovered damages for Texas operator for loss of well due to failure of low grade casing mismarked as high grade casing;
 - Recovered damages for Louisiana operator for loss of reserves due to faulty perforation; and,
 - Represented hundreds of individuals in products liability, personal injury, and wrongful death claims.
- August 1982 to
December 1985
- Vinson & Elkins
Houston, TX
Associate
- Represented syndicates at Lloyds of London in coverage disputes over “Cost of Control” insurance;
 - Represented world’s largest shipbuilding company in suit over allegedly defective winch control system;
 - Recovered damages for marine insurance company due to failure of London brokers to obtain re-insurance on drillship lost in blowout;
 - Represented international steel manufacturer in suit involving allegedly defective structural steel used in drilling rig masts; and,
 - Defended international tire company in litigation over allegedly defective multi-piece truck tire rims.
- August 1981 to
August 1982
- Louisiana Supreme Court
New Orleans, LA
Law Clerk
- Law Clerk to the Honorable James Dennis (now sitting on Fifth Circuit Court of Appeals).

Education

- B.A. 1977, Louisiana State University
- J.D. 1981, Louisiana State University (Top 10%)

MANFRED STERNBERG, J.D.

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CAREER SUMMARY

Manfred has been practicing law in Houston, Texas for almost 30 years maintaining an active civil law practice focusing on commercial litigation and corporate counsel. Manfred has been Board Certified in Consumer and Commercial Law by the Texas Board of Legal Specialization since 1993. He has experience dealing with a broad range of business operations issues and representing consumers and businesses in a variety of legal matters.

PROFESSIONAL EXPERIENCE

Manfred Sternberg & Associates, P.C.

1991 - Present

Board Certified Consumer and Commercial Law Attorney- Licensed to practice law in Texas and Louisiana.

Shell Western E&P, Inc.,

1985-1991

Landman, and Associate Attorney - at two law firms focused on oil and gas properties and commercial litigation in Houston, Texas

EDUCATION

B.A. History - Tulane University, 1982

J.D. Paul M. Hebert Law Center at Louisiana State University, 1985

PROFESSIONAL ACTIVITIES

Member:

Texas Bar Association

Board Certified Consumer and Commercial Law, Texas. Board of Legal Specialization

Louisiana Bar Association

Hilshire Village Board of Adjustment