

## **Michael S. Cedillo**

Partner

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214-871-8214



Michael Cedillo handles complex litigation matters relating to professional liability claims and commercial disputes. He has tried cases to verdict at trial and arbitration.

Michael represents a range of professionals, including insurance agents/brokers, wholesale brokers, attorneys, accountants, real estate brokers and agents, design professionals (construction defect), property management companies, and mortgage field service providers. He also represents companies sued for alleged personal injury claims, including catastrophic injuries.

Michael handles complex commercial litigation matters, including contractual disputes, quantum meruit claims, disagreements over employee compensation, indemnity claims, fraud, and alter ego claims.

### **Representative Experience**

#### **INSURANCE AGENTS**

Represent insurance agents as to complaints filed with the Texas Department of Insurance.

Obtained a take nothing defense judgment at trial in favor of an insurance broker in a \$66 million claim (see related resources below for more discussion).

Obtained dismissal and awarded attorneys' fees in a lawsuit filed against an insurance agent—Plaintiff alleged damages in excess of \$2 million.

Obtained several voluntary nonsuits on behalf of insurance agents—with no settlement contribution—after filing a dispositive motion. Most recently, Plaintiff filed a nonsuit with prejudice after the filing of a Rule 91a Motion to Dismiss and, Alternatively, Plea to the Jurisdiction (Plaintiff alleged damages in excess of \$3 million).

#### **ATTORNEYS**

Represented lawyers in grievance proceedings before the State Bar of Texas.

Obtained summary judgment on behalf of a law firm sued on an alleged contribution claim (\$2 million claim).

Obtained 91a dismissal and awarded attorneys' fees on behalf of a law firm sued for alleged legal malpractice.

Obtained summary judgment for an attorney sued for an alleged mishandling of a decedent's probate estate.

Obtained summary judgment for an attorney sued for an alleged breach of fiduciary duty (allegedly disclosed privileged attorney-client communications).

#### COMPLEX COMMERCIAL LITIGATION

Arbitrator found in favor of client and awarded nothing to the claimant, who alleged more than \$1 million in damages stemming from services provided on 15 separate projects.

Arbitrator granted partial summary judgement, which dismissed claims for \$650,000 in alleged owed compensation.

#### OTHER PROFESSIONALS

Obtained dismissal of numerous claims, including with prejudice, against construction design professionals under Chapter 150 of the Texas Civil Practice & Remedies Code.

Obtained dismissal in favor of a mortgage field service provider based upon lack of subject matter jurisdiction—Plaintiff failed to first exhaust his claims through the FDIC administrative process as provided under the Financial Institutions Reform, Recovery and Enforcement Act of 1989, which deals with failed banks.

Obtained summary judgment for client sued for alleged violations of the Texas Deceptive Trade Practices Act, the Texas Debt Collection Act and the Federal Fair Debt Collection Practices Act.

Obtained dismissal of Plaintiff's claims for alleged violation of the Fair Debt Collection Practices Act and Fair Credit Reporting Act.

Negotiated a zero-dollar settlement on behalf of a homeowners' association sued for alleged defamation and business disparagement after filing a motion to dismiss pursuant to the Texas Anti-SLAPP Statute, which protects free speech and right of association.

### Awards & Recognition

#### BEST LAWYERS IN AMERICA

Listed for Commercial Litigation

2023-2025

#### TEXAS SUPER LAWYERS - RISING STAR

Listed for Professional Liability : Defense

2021-2023

## Related Services

Business and Commercial

Construction

General Liability/Catastrophic Injury

Professional Liability

## Publications & Speaking Engagements

Professional Liability Seminar

DRI

November 29, 2023

Insurance Agent's Duty to Report a Claim & the Carrier's Duty to Defend

Thompson Coe webinar

August 24, 2022

Expert Testimony in Legal Malpractice Claims

2022

Real Estate Brokers and Insurance Agents

2021

The Impact of COVID-19 on Professional Liability Claims: A Focus on Real Estate Brokers and Insurance Agents

2020

Mortgage Field Services: A Perspective from the Litigation Trenches

2018

Navigating Through the Service Member Civil Relief Act

2018

Michael S. Cedillo, et al., Avoiding Imputed Disqualification, 8 Southern Journal of Business and Ethics (2016)

Written by: Michael S. Cedillo, Laura Sullivan, Diana Brown

Nov 16, 2016

Avoiding Imputed Disqualification

## **Education, Admissions & Activities**

### **EDUCATION**

#### **University of Arkansas at Little Rock**

J.D., 2009

Moot Court Board and Moot Court Travel Team

Pre-Enrollment Academic Merit Scholarships

The Brian McMillan Scholarship for Future Litigators of Tomorrow

Judicial Intern, Arkansas Supreme Court

Summer Associate, Exxon Mobil

#### **University of Texas at Austin**

B.A., 2005

Graduated with Special Honors

### **BAR ADMISSIONS**

Texas

### **COURT ADMISSIONS**

#### **United States District Court of Texas**

Northern, Southern, Eastern, Western

### **PROFESSIONAL AND COMMUNITY ACTIVITIES**

#### **Defense Research Institute (DRI)**

Professional Liability Committee, Diversity Chair