



M. Mitchell Moss
Attorney / Shareholder

Areas of Concentration

- Bad Faith Litigation
- Complex Civil Litigation
- Malpractice Defense
- Trucking Litigation

Education

J.D., Texas Tech University
Associate Editor, Texas Tech Law Review

B.S., Texas Christian University

Admission & Qualifications

State Bar of Texas
State Bar of New Mexico
Certified in Personal Injury
Sustaining Member of the Litigation Section
United States District Court, Western District of Texas
United States District Court, District of New Mexico
Trial Law by Texas Board of Legal Specialization
Certified Mediator & Arbitrator

Languages

- English
- Spanish

Contact Information

- T: 915.546.8217
- F: 915.546.8333
- mmos@ScottHulse.com

Mr. Moss is a respected litigator with extensive courtroom and trial experience, advising and representing individuals and corporations in matters related to commercial disputes; labor and employment; employment practices liability; commercial litigation; medical, legal and professional malpractice; catastrophic injury; collective bargaining agreements; education law; and all aspects of insurance defense.

Mr. Moss has tried more than 100 jury cases and resolved hundreds of cases, without going to trial, for the benefit of his clients. He is licensed in both Texas and New Mexico. Mr. Moss is Board Certified in Personal Injury Trial Law by the Texas Board of Legal Specialization. A certified mediator and arbitrator, he has mediated numerous cases and also served as an arbitrator multiple times.

In addition to advising and representing individuals and corporations, Mr. Moss has successfully resolved death cases, including a multiple-death case; some while representing defendants and others while acting on behalf of plaintiffs. He has also handled administrative matters with the Texas Board of Medical Examiners, the Board of Nursing Examiners, the National Labor Relations Board, the Texas Education Commission, and the New Mexico Workers Compensation Administration.

Mr. Moss recently settled one of the largest New Mexico Residential Bad Faith claims in the Region on behalf of a Homeowner.



Mr. Moss has the highest Martindale-Hubbell rating of AV Preeminent. An AV Preeminent rating reflects an attorney who has reached the heights of professional excellence. He or she has usually practiced law for many years, and is recognized for the highest levels of skill and integrity.

A member of the Texas Association of Defense Counsel (TADC), Mr. Moss is currently serving his second term as the TADC Vice-President for West Texas. He is also the recipient of the TADC's 2014 President's Award, which recognizes meritorious service by a member whose leadership and service has resulted in raising standards and achieving goals representing the ideals and objectives of the TADC. Additionally, Mr. Moss is a member of the International Association of Defense Counsel (IADC), the Claims Litigation & Management Alliance (CLM), the American Board of Trial Advocates (ABOTA), and the El Paso Chapter of ABOTA.

A graduate of Texas Tech University School of Law, Mr. Moss is a frequent guest speaker at business conferences and seminars related to business and employment law.

An active member of the community, Mr. Moss is past Chair of the Alzheimer's Association (Star Chapter), a past President of the Coronado Country Club, and a past Chair of the Board of the El Paso Chapter of the American Red Cross. He also serves as the pro-bono legal advisor for a church-based daycare.

Representative Matters

- Obtained jury trial victory for trucking company in traumatic brain injury case in federal court.
- Obtained a seven-figure settlement for an individual in a complex insurance coverage matter, prior to trial.
- Successfully defended engineers and attorneys in professional malpractice cases.
- Successfully defended doctors, hospitals, and healthcare providers against charges of malpractice and negligence.
- Resolved a case against a local university brought by more than 20 plaintiffs alleging claims related to accreditation issues.
- Resolved a professional malpractice case, involving over 40 plaintiffs and a city, related to construction defects.
- Resolved death cases; some while acting on behalf of defendants and others while representing plaintiffs.
- Successfully handled multiple-death, house fire case for a utility company.
- Upheld an arbitration agreement at the appellate level for a grocery store chain.
- Successfully negotiated claims of unfair labor practices for a small business.
- Obtained a defense verdict for a local hospital in a negligence case.

- Successfully defended a trucking company in a case related to an amputation that resulted from an accident.
- Recently delivered a speech entitled “Arbitration: Friend or Foe” to a large group of business owners and human resource professionals.
- Upheld an administrative decision with the Texas Supreme Court on behalf of a local school district.
- Successfully negotiated a Project Labor Agreement with an international Union on behalf of a national construction company.
- Obtained a verdict for a local not-for-profit organization in a commercial dispute.

Presentations & Publications

- *2017, March. Riding the Crazy Train: “Janie’s Got a Gun: Where is She Allowed to Carry It?”* Lecture presented at the ScottHulse Labor & Employment Law Seminar in El Paso, Texas.
- *2016, October 20. Difference Between Arbitration and Mediation.* Lecture presented at the El Paso Paralegal Association’s 2016 Fall Seminar.
- *2015, March 4. Rules of the Game: Complying with Government Regulations and Avoiding Penalties.* Lecture presented at the ScottHulse Labor & Employment Law Seminar in El Paso, Texas.
- *2015, March 4. Foul or No Foul: Dealing With and Defending OSHA Citations.* Lecture presented at the 2015 ScottHulse Labor & Employment Law Seminar in El Paso, Texas.
- *2014, April 4. Breaking Bad Habits: Improving Workplace Practices and Surviving a DOL Audit.* Lecture presented at the 2014 ScottHulse Labor & Employment Law Seminar in El Paso, Texas.
- *2014, April 4. Army Wives’ Tales.* Lecture presented at the ScottHulse Labor & Employment Law Seminar in El Paso, Texas.
- *2013, April 3. Tips for Effective Communication & Appreciation in the Workplace.* Lecture presented at the ScottHulse Labor & Employment Law Seminar in El Paso, Texas.
- *2012, March 30. Interactive Problem Solving Session.* Interactive presentation at the ScottHulse Labor & Employment Law Seminar in El Paso, Texas.
- *2011, March 4. Surviving Governmental Audits: A Changing Landscape.* Lecture presented at the ScottHulse Labor & Employment Law Seminar in El Paso, Texas.
- *2011, March 4. A Palette of Problems: The Violent Workplace and the Implications of the Bully Employee.* Lecture presented at the ScottHulse Labor & Employment Law Seminar in El Paso, Texas.

Organizations

- American Board of Trial Advocates (ABOTA)

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- Alzheimer’s Association – El Paso Star Chapter (former Chair)
- El Paso Chapter of the American Red Cross (former Chair)
- International Association of Defense Counsel
- Claims & Litigation Management Alliance
- Coronado Country Club (former President)
- Texas Association of Defense Counsel (Vice-President for West Texas)
- Therapeutic Horsemanship of El Paso