



ScottHulse ^{PC}

ATTORNEYS AT LAW

Employment Counsel in Texas and New Mexico

The Value of Commitment™ Serving the U.S./Mexico Borderplex

ScottHulse, P.C., founded in 1889, is one of the longest standing and leading full-service commercial law firms in the U.S./Mexico Borderplex region, including West Texas, South Central Texas, and Southern New Mexico—one of the most dynamic, high-growth areas in North America. The Firm is AV® Preeminent Peer Review Rated™ by Martindale-Hubbell, and listed in “Best Law Firms” published by *U.S. News & World Report*.

The Firm’s 30 attorneys develop results-driven solutions across a full range of practice areas to help clients grow, manage risk, and protect assets. The ScottHulse Labor & Employment and Litigation Sections, featured in this document, take on the role of general counsel and aid with dispute resolution for employers of all types and sizes, as well as their insurers.

Experienced Outside Employment Counsel for Insurers and Employers

ScottHulse works with numerous inside and outside general counsel and insurance claims professionals on a daily basis. Members of the Firm strive to promptly and accurately assess each case, project a realistic budget, and provide timely updates in accordance with established litigation guidelines.

Additional panel counsel appointments are welcomed. Information on the following pages provides additional information on the Firm’s attorneys and employment-related legal capabilities.

In-Depth Knowledge of Employment Liability in Texas and New Mexico

The entire ScottHulse labor and employment team is experienced in working within a very liberal court system in El Paso County, Texas, including a jury pool that is very employee-oriented. Because of the dynamics that are present in El Paso, the verdicts on employment cases are often among the highest in the nation. Out-of-town lawyers who attempt to defend employers in the U.S./Mexico Borderplex region do not often meet with success. The attorneys at ScottHulse maintain leadership roles in the local business, educational and legal communities in El Paso, Las Cruces, and San Antonio, thereby providing clients with hometown knowledge and an understanding of jurors that only other locals would possess. Key employment law capabilities are outlined below.

- Rosemary Marin, Labor & Employment Section Chair, a Board Certified Labor & Employment Specialist, has never lost a jury trial on an employment matter in which she was lead counsel. She also has a success rate of more than 90% when defending clients against hundreds of discrimination charges before administrative agencies.
- M. Mitchell Moss, Litigation Section Chair, has tried over 100 cases, with a great majority resulting in favorable verdicts for his clients.
- Many ScottHulse attorneys are licensed to practice in both Texas and New Mexico. The Firm maintains a diverse team that reflects the local population, with many of its professionals being bilingual.
- ScottHulse attorneys proactively partner with clients to create an educated, accountable HR team that becomes less reliant on the Firm’s legal services over time.

A Full Array of Labor & Employment Services

Employment Practices Liability

Employers and insurers across the U.S./Mexico Borderplex region, including West Texas, South Central Texas, and Southern New Mexico, rely on ScottHulse for a range of labor and employment matters.

The Firm partners closely with clients to provide timely, proactive legal advice that helps employers evaluate and assess courses of action with a goal of avoiding litigation. A large annual, affordable seminar serves as the foundation for the Firm's commitment to helping clients achieve best practices in employment law.

Legal assistance in employment practices liability (EPL) matters includes:

- Age Discrimination in Employment Act (ADEA)
- Americans with Disabilities Act (ADA)
- Fair Labor Standards Act (FLSA)
- Family and Medical Leave Act (FMLA)
- Title VII

ScottHulse defends employers against a wide range of discrimination claims, including age, race, sex, religion, national origin, harassment, retaliation, disability, family and medical leave rights, veterans' rights, wage and hour protections, and state tort and contract laws.

The Firm has successfully represented employers against thousands of charges filed with state and federal administrative agencies, including:

- Texas Workforce Commission
- Texas Division of Workers' Compensation
- Equal Employment Opportunity Commission (EEOC)
- The Human Rights Bureau (a neutral agency that enforces the New Mexico Human Rights Act)
- New Mexico Department of Workforce Solutions
- New Mexico Workers' Compensation Administration
- Occupational Safety and Health Administration (OSHA)
- National Labor Relations Board (NLRB)
- U.S. Department of Labor



The eighth annual ScottHulse Labor & Employment Law Seminar, held in March 2016, sells out every year and attracts more than 200 business owners, executives, managers, supervisors, HR professionals, and in-house legal counsel. Attendees learn proactive strategies and programs designed to reduce risk in employment matters and regulatory compliance.

Members of the Firm regularly donate their time to speak to local business groups about changes in the law. For example, the Firm recently spoke to the El Paso Restaurant Association about the new Department of Labor overtime rules and presented an annual employment law seminar for the El Paso Chapter of the Society for Human Resource Management (SHRM).

Employment Litigation

The trial lawyers at ScottHulse have a high success rate in resolving hundreds of claims and administrative charges, investigations arising from those charges, and lawsuits involving varying types of claims.

The scope and type of litigation, including contested administrative matters, handled by ScottHulse in the field of employment law in Texas, is expansive. While other law firms may be afraid of contested legal battles, the ScottHulse trial team enjoys the adversarial process of jury trials and administrative proceedings and thrives in that environment. Members of the Firm have fought and won many courtroom battles and bring that experience to every matter handled.

Representative Cases*

Although the Southwest Borderplex area is one of the most litigious areas in the country and employment verdicts are routinely among the highest in the U.S., Rosemary and her team have enjoyed great success in the courtroom. The following is a representative list of recent courtroom victories, some of which were dismissed without the time and expense of a jury trial. Asterisks indicate published cases.

Corral v. Levi Strauss & Co. (State Court). Trial victory and dismissal of claim for workers' compensation retaliation.

Corral v. Levi Strauss & Co (Federal Court). Trial victory and dismissal of claims for disability discrimination and retaliation.

Kraft v. Earnhardt Motors, Inc. (State Court). Trial victory and dismissal involving claim for age discrimination, following pre-trial dismissal of discriminatory advertising claim.

Lopez v. AT&T (State Court). Trial victory dismissing a workers' compensation claim, including extent of injury.

Rojas v. Southwestern Bell Telephone, L.P. (State Court). Motion for Summary Judgment granted, dismissing workers' compensation retaliation claim. No appeal filed.

Moreno v. Mimbela Contractors, Inc. (State Court). Trial victory and dismissal of claim for workers' compensation retaliation.

Flores v. El Paso Times (State Court). Trial victory and dismissal of claim for workers' compensation retaliation.

Duron v. El Paso Independent School District (State Court). Trial victory and dismissal of claims for national origin discrimination, gender discrimination and retaliation.

Cruz-Ortiz v. Ysleta Independent School District (State Court). Trial victory and dismissal of claims for disability discrimination and retaliation.

Maldonado v. El Paso Psychiatric Center (State Court). Trial victory and dismissal of claims for workers' compensation retaliation.

Duron v. El Paso Community Action Program/Project Bravo. (State Court). Trial victory and dismissal of claim for retaliation, following partial pretrial dismissal of disability discrimination claim.

Rodriguez v. YISD (Federal Court). Victory before the trial court and Fifth Circuit Court of Appeals, upholding dismissal of claim for violation of civil rights under First Amendment.

Vicari v. Ysleta Independent School District (Federal court). Victory before the trial court and Fifth Circuit Court of Appeals, upholding dismissal of claims for gender and sex discrimination, as well as retaliation.

Ochoa v. YISD. Talamantes v. YISD. Rodriguez v. YISD.

***Fernandez v. YISD.** In each case, victory in administrative trial before the Texas Education Agency, upholding termination of teacher contract for good cause.

Hernandez v. EPISD. Victory in administrative trial and appeal before the Texas Education Agency, upholding termination of teacher contract for good cause (on appeal).

***Ysleta Teachers Association/TSTA/NEW and Teri Sanchez, on behalf of all affected members v. Ysleta ISD.** Victory before Texas Education Agency regarding teachers' (exempt employees) dispute of District's right to require a 40-hour workweek.

***Garcia v. Levi Strauss & Co. (State Court).** Motion for Summary Judgment granted and upheld, dismissing workers' compensation retaliation claim because employer articulated a legitimate business reason for the action taken and Plaintiff was unable to meet her burden of proving the reason was a pretext for discrimination.

Sommers v. City of El Paso, (Federal Court). Motion for Summary Judgment granted, dismissing gender, age and retaliation claims against the El Paso Police Department. No appeal filed.

Duron v. Project Bravo, Inc. (State Court). Motion for Summary Judgment granted, dismissing "disability," "regarded as disabled" and "failure to accommodate" discrimination claims. No appeal filed.

Shane v. Fed Ex Freight (Federal Court). Motion for Summary Judgment granted, dismissing national origin & age discrimination claims. No appeal filed.

Medina v. Texas-New Mexico Newspaper Partnership (Federal Court). Motion for Summary Judgment granted, dismissing age, national origin & gender discrimination claims. No appeal filed.

Ace Cleaning Services, Inc. and Genesis Total Management, Inc. v. Industrial, Technical & Professional Employees Union, OPEUI Local # 4873, AFL-CIO. Launched successful union avoidance campaign and successfully represented janitorial company in union election before the National Labor Relations Board, defeating the union.

Big 8 Food Stores vs. United Food and Commercial Workers. Launched successful union avoidance campaign against a large retailer.

ACE, USA v. International Union of Operating Engineers, Local 351. Participated in successful union avoidance campaign and successfully represented janitorial company, defeating the union.

Local 351, International Union of Operating Engineers, AFL-CIO. Successfully negotiated a Collective Bargaining Agreement for a large government contractor and defended claims of unfair labor practices before the National Labor Relations Board.

DISCLAIMER: Every case is different and depends on its own unique facts. Results may vary. Clients are named with permission.

Preventive Advice and Training

Many employment lawsuits result from inadequate management communication or poor handling of employee issues. For this reason, ScottHulse provides specialized legal and management training on a range of topics. Every ScottHulse Labor & Employment attorney maintains a regular, on-going legal study program that requires them to stay current on the law at all times.

Alternative Dispute Resolution

With the potential risks associated with jury trials, particularly in a border region with a history of high employment-related verdicts in favor of plaintiffs, more and more parties seek alternative dispute resolution techniques to resolve employment disputes. ScottHulse attorneys are experienced in all forms of ADR and routinely use arbitration, mediation, and other procedures to obtain favorable results for clients in matters ranging from individual EEOC charges to lawsuits.

The ScottHulse Commitment to Shared Values

The Firm's philosophy is founded on the following core values. Members of the Firm strive to reflect these values through their thoughts, words and deeds.

- Commitment
- Community
- Dialogue
- Diversity
- Enthusiasm
- Excellence
- Flexibility
- Integrity
- Leadership
- Process
- Relationships
- Respect
- Responsiveness
- Stability
- Value

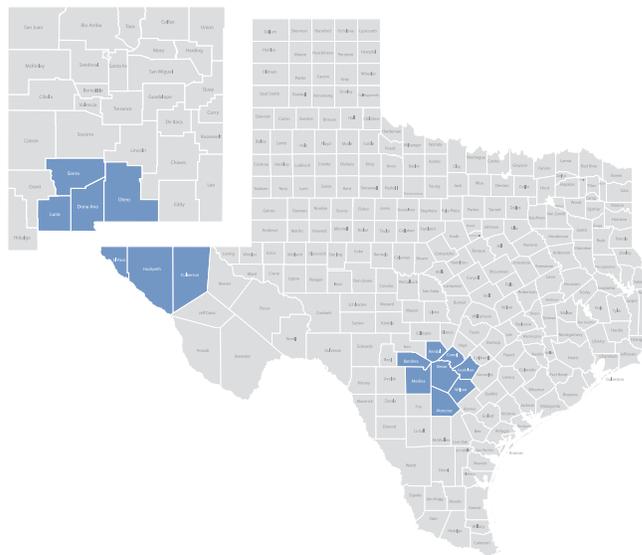
Industries Served

Employers that manage a large staff and have a need to deal with high turnover are particularly well suited to the employment and litigation services provided by ScottHulse. Industries of interest include:

- EPLI Insurance Carriers
- Transportation & Logistics
- Manufacturing
- Restaurant & Hospitality
- Retail
- Construction
- Auto Dealerships
- Banking & Financial Institutions
- Education
- Government

Geographic Areas Served

In addition to serving the states of Texas and New Mexico, ScottHulse offers a local presence in the counties identified below.



Texas: El Paso Area

Serving El Paso, Hudspeth and Culberson Counties.

Texas: San Antonio Area

Serving the Greater San Antonio region, which includes eight counties: Atascosa, Bandera, Bexar, Comal, Guadalupe, Kendall, Medina, and Wilson.

New Mexico: Las Cruces Area

Serving Doña Ana, Luna, Sierra, and Otero Counties.



Rosemary M. Marin
Shareholder / Director
Chair, Labor & Employment

915.546.8297 Direct
915.533.2493 Main

rmar@ScottHulse.com



See www.ScottHulse.com
for a more detailed bio on
Ms. Marin

Rosemary Marin is a Shareholder and a member of the Firm's Board of Directors. She is Board Certified in Labor & Employment Law by the Texas Board of Legal Specialization and is also licensed in New Mexico.

Representing management, Rosemary handles employment litigation and regulatory issues (Title VII, Wage/Hour, ADEA, ADA, FMLA, OSHA), labor union matters (NLRB, NLRA), and provides legal and practical advice on implementing business strategies that affect executives and other employees. Rosemary's focus is on both prevention and strong advocacy. She provides training and advice to help businesses take proactive steps to prevent employment disputes, and is also a seasoned litigator who has successfully resolved hundreds of lawsuits.

Rosemary is an experienced trial lawyer with extensive courtroom and trial experience who has never lost a jury trial on an employment matter on which she was lead counsel. She has also successfully defended clients against hundreds of charges of discrimination filed with the Equal Employment Opportunity Commission and Texas and New Mexico Commissions on Human Rights, with a success rate of more than 90%. She has also successfully defended against thousands of workers' compensation claims, with a success rate of over 90%.

Rosemary defends against discrimination claims based on age, race, sex, religion, national origin, harassment, retaliation, disability, family and medical leave rights, veterans' rights, wage and hour protections, and legal and state tort and contract laws. She is a frequent speaker at business conferences on various labor and employment topics.

Other key services provided by Rosemary include: preventive advice and training; alternative dispute resolution; counsel on personnel and labor matters arising from sales, mergers and acquisitions, plant closings, and reductions in force; traditional labor matters; and counsel regarding restrictive covenants, trade secrets and non-competition agreements.

Rosemary is also actively involved in many professional and community activities. A native of El Paso, she is fluent in Spanish.

Education

J.D., Texas Tech University, Lubbock, TX, 1991
B.S., University of Texas at El Paso, El Paso, TX, 1986

Admissions

State Bar of Texas
State Bar of New Mexico
U.S. District Court for the Western and Southern Districts of Texas
Fifth Federal Circuit Court of Appeals
United States Supreme Court



M. Mitchell Moss
Shareholder
Chair, Litigation



See www.ScottHulse.com
for a more detailed bio on
Mr. Moss

M. Mitchell Moss, Chair of the ScottHulse Litigation practice section, is an experienced litigator with extensive courtroom and trial experience, advising and representing individuals and corporations in matters related to commercial disputes; labor and employment; medical, legal and professional malpractice; catastrophic injury; education law; and all aspects of insurance defense.

Mitch has tried more than 100 jury cases. He has also resolved hundreds of cases without going to trial, for the benefit of his clients. He is licensed in both Texas and New Mexico. Mitch 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, Mitch 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.

A member of the Texas Association of Defense Counsel (TADC), Mitch was recently re-elected to serve a second year as the TADC Vice-President for West Texas. He is a frequent guest speaker at conferences and seminars related to business and employment law.

Representative Matters

- 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.
- Upheld an arbitration agreement at the appellate level for a grocery store chain.

Education

J.D., Texas Tech University, Lubbock, TX, 1992
-- Associate Editor, *Texas Tech Law Review*
B.S., Texas Christian University, Fort Worth, TX, 1989

Admissions & Qualifications

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



Richard G. Munzinger
Shareholder

*Martindale-Hubbell
Icon Here*



See www.ScottHulse.com
for a more detailed bio on
Mr. Munzinger

Richard Munzinger is a senior Shareholder, having joined ScottHulse in 1966. He practices primarily in the area of commercial litigation.

A member of the Texas Supreme Court Advisory Committee, Richard also serves on the Pattern Jury Charge Committee (Business, Commercial) and previously served on the Administration of Rules of Evidence Committee.

Richard has lectured over many years for the State Bar of Texas on numerous litigation related subjects. He has also participated in continuing legal education activities sponsored by the Texas Association of Defense Counsel, the University of Texas Law School, the University of Houston Law School and the South Texas College of Law. He has taught in trial advocacy programs at the University of Texas, Harvard Law School, and the University of Michigan.

Richard is AV® Preeminent Peer Review Rated™ by Martindale-Hubbell. He has consistently been recognized as one of the “Best Lawyers in America” and a Texas Super Lawyer for many years. He is a member of the El Paso Bar Association and the Texas Association of Defense Counsel.

Richard was born and raised in El Paso, Texas. He is fluent in Spanish.

Education

J.D., University of Texas, Austin, TX, 1966
B.A., University of Texas, Austin, TX, 1960

Admissions

State Bar of Texas
United States District Court, Western District of Texas
Fifth Federal Circuit Court of Appeals
United States Supreme Court



Henry J. Paoli
Shareholder
Chair, Appellate Law



Henry Paoli is a litigation Shareholder who practices in the areas of commercial litigation and healthcare litigation, as well as appeals and appellate law. In addition to chairing the Firm's Appellate Law Section, Henry is also a construction lawyer with experience in all aspects of construction law including drafting contracts, handling bond claims, and litigating construction defect cases.

Henry is Board Certified in Civil Appellate Law by the Texas Board of Legal Specialization. In the entire state of Texas, there are less than 500 attorneys who are Board Certified in Civil Appellate Law by the Texas Board of Legal Specialization.

In the commercial litigation area, his experience includes the defense and prosecution of breach of contract claims, fraud claims, and business disputes, including labor and employment issues.

In the civil rights area, he has regularly counseled and represented clients in the defense of civil rights claims that are based on 42 U.S.C. §1983.

In the area of appeals, Henry regularly represents clients in appeals that are pending before Texas appellate courts, the Supreme Court of Texas, the United States Court of Appeals for the Fifth Circuit, and the United States Court of Appeals for the Tenth Circuit.

His appellate experience includes probate appeals, appeals from final judgments, and mandamus proceedings. He has also handled administrative appeals before Texas administrative agencies.

As a member of the Firm's Construction Law practice section, Henry has advised and represented construction companies, contractors, and real estate professionals. He also regularly represents clients in the defense of OSHA citations, filing and enforcing mechanic's liens, and enforcing claims in connection with payment or performance bonds for construction projects. He has presented numerous seminars to contractors in the construction industry.

In the insurance area, Henry has regularly worked with and represented clients in personal injury lawsuits, construction defect cases, health care liability claims, and employment appeals.

Education

J.D., Baylor University, Waco, TX, 2001

B.A., *cum laude*, Marquette University, Milwaukee, WI, 1998

Admissions

State Bar of Texas

Certified in Civil Appellate Law by Texas Board of Legal Specialization

United States District Court, Western District of Texas

Fifth Federal Circuit Court of Appeals

Tenth Federal Circuit Court of Appeals

See www.ScottHulse.com
for a more detailed bio on
Mr. Paoli



Priscilla Marquez
Shareholder

Priscilla Marquez has represented clients in various types of litigation. Her practice also includes advising employers and organizations regarding internal investigations and compliance.

Since joining ScottHulse, Priscilla has successfully negotiated favorable settlements for clients in such areas as employment discrimination, medical malpractice, personal injury, breach of contract, violations of the Deceptive Trade Practices Act, and professional negligence. She advises employers on day-to-day operations such as employment guidelines, discipline, and provider contracts. Priscilla successfully defended an educational organization from claims of negligent representation and deceptive trade practices.

Prior to joining ScottHulse, Priscilla was an associate at a New York law firm with a complex commercial litigation and white collar practice focused on representing corporate and individual clients in investigations brought by various federal and state agencies for allegations of violations of the Foreign Corrupt Practices Act (FCPA), money laundering, healthcare fraud, and a variety of other offenses. Priscilla also advised a leading financial institution in numerous matters arising out of regulatory inquiries and litigation concerning document execution, foreclosure, and other debt collection practices.

Regarding community engagement, Priscilla is a graduate of the UTEP Law School Preparation Institute and is active in many other organizations.

Memberships

El Paso Bar Association
El Paso Women's Bar Association
El Paso Young Lawyers Association
Texas Association of Defense Counsel
Board for the Federal Bar Association – El Paso Chapter
Books Are Gems, Board Member

Education

J.D., New York University School of Law, New York, NY, 2008
Senior Notes Editor, *Journal of Legislation and Public Policy*
Co-Chair, NYU Law Women
B.A., *summa cum laude*, Honors Degree, English and Political Science, University of Texas at El Paso, El Paso, TX, 2005

Admissions

State Bar of Texas
State Bar of New York
United States District Court, Western District of Texas
United States District Court, Eastern and Southern Districts of New York

See www.ScottHulse.com
for a more detailed bio on
Ms. Marquez



Francisco J. Ortega
Shareholder

Francisco Ortega concentrates his practice in complex commercial litigation, appeals, and labor and employment law.

In the area of commercial litigation, Francisco's experience includes handling claims for breach of contract, breach of fiduciary duties, deceptive trade practices, fraud, usury, derivative claims, breach of partnership obligations, copyright infringement, construction claims, tortious interference, and wrongful termination.

A graduate of the Greater El Paso Chamber of Commerce Leadership El Paso Class XXXIV, Francisco is active in the Borderplex community. He was appointed by Mayor Oscar Leeser to serve as a commissioner of the Housing Authority for the City of El Paso. He also serves on the board of directors of the KCOS Community Advisory Board and the El Paso Marathon Foundation. He previously served on the El Paso Museum of Art Advisory Board, AVANCE-El Paso, and the Ethics Review Commission for the City of El Paso.

Following graduation from law school, Francisco served as a law clerk to the Honorable David M. Medina of the Supreme Court of Texas and as a law clerk to the Honorable Philip R. Martinez of the United States District Court for the Western District of Texas. He is a native El Pasoan, and is fluent in Spanish.

Representative Cases

--*Broadcast Music, Inc., et al. v. Armstrong*, 13-CV-32-KC, 2014 U.S. Dist. LEXIS 74204 (W.D. Tex. May 30, 2014) (obtained summary judgment and award of \$123,361.50 in statutory damages and attorney's fees for Copyright Act infringement).

--*Dominguez v. Receivables Performance Management*, No. 13-CV-117-PRM, 2014 U.S. Dist. LEXIS 69194 (W.D. Tex Apr. 29, 2014) (obtained summary judgment and favorable dismissal of entire case under the Fair Debt Collection Practices Act and related Acts).

Memberships

State Bar of Texas
El Paso Bar Association and El Paso Young Lawyers Association
El Paso Federal Bar Association, Member and Past Board Member
U.S. District Court, Western District of Texas, Admissions Committee

Education

J.D., University of Wisconsin – Madison, Madison, WI, 2007
Lead Articles Editor, *Wisconsin Law Review*
Note & Comment Editor, *Wisconsin International Law Journal*
Staff member, *Wisconsin Journal of Law, Gender & Society*
Member and team coach, Wisconsin Moot Court Board
B.A., University of Texas at El Paso, El Paso, TX, 2003

Admissions

State Bar of Texas
United States District Court, Western District of Texas
Fifth Federal Circuit Court of Appeals
United States Supreme Court

See www.ScottHulse.com
for a more detailed bio on
Mr. Ortega



John S. Collins
Associate Attorney

John Collins concentrates his practices in litigation, labor and employment, education, and construction law. He is licensed in both Texas and New Mexico.

John has defended employers against claims arising under Title VII, the Americans with Disabilities Amendments Act, the Family Medical Leave Act, Chapter 21 of the Texas Labor Code, and the New Mexico Human Rights Act.

He represents employers in both state and federal court, as well as before various administrative agencies, including the Texas Workforce Commission, the Texas Department of Insurance, the New Mexico Human Right Bureau, the New Mexico Workers' Compensation Administration, the National Labor Relations Board, the Equal Employment Opportunity Commission, and the Texas Education Agency. In addition, John regularly provides advice and training to employers to ensure compliance with state and federal law.

An article written by John was published in the Baylor Law Review, and later received the Irene G. and Jimmy Wisch Award for Best Article in the Area of Civil Rights. It was also recognized as one of the best student-written law review articles by the State Bar of Texas Labor and Employment Section. John was also a quarterfinalist in the Strasburger and Price Moot Court Competition, where he was named one of the competition's four best speakers.

While in law school, John interned at the Harris County Attorney's Office.

Education

J.D., *cum laude*, Concentration in Business Litigation, Baylor University, Waco, TX, 2013

Executive Editor, *Baylor Law Review*

Member, Baylor Barrister Society

Dean's Academic Excellence Full-Tuition Scholarship

B.A., *summa cum laude*, History and English, Texas A&M University, College Station, TX, 2010

Phi Beta Kappa

Admissions

State Bar of Texas

State Bar of New Mexico

United States District Court, Western District of Texas

United States District Court, District of New Mexico

See www.ScottHulse.com
for a more detailed bio on
Mr. Collins



M. Blake Downey
Associate Attorney

Blake Downey practices in the areas of litigation, labor and employment, and education law.

He advises commercial, non-profit, and educational employers regarding employee handbooks, policies, and day-to-day employment matters. He has assisted several companies develop comprehensive employment policies and training programs to ensure employers engage in proactive management to help reduce litigation exposure.

Blake works with employers to resolve claims including discrimination, workers' compensation, and unemployment, often before an employee files suit against his clients. He also works with both union and non-union employers regarding issues related to labor laws and developing collective bargaining agreements.

Blake has successfully represented numerous clients before the Texas Workforce Commission, Equal Employment Opportunity Commission, National Labor Relations Board, and State and Federal Courts.

Prior to joining ScottHulse, Blake served as the director of human resources and in-house counsel for a large automotive group with dealerships located nationwide. Blake oversaw employee benefits administration, conducted employee investigations, developed management training, prepared and implemented employee handbooks and policies, and instituted employee hiring and termination guidelines.

Regarding community engagement, Blake is a member of several professional organizations including the El Paso Bar Association, El Paso Young Lawyers Association, and currently serves as the President of the El Paso Chapter of the Texas Tech Alumni Association. He is also a member of the Lambda Chi Alpha Alumni Association.

Memberships

El Paso Bar Association
El Paso Young Lawyers Association
Texas Tech Alumni Association, El Paso Chapter President
Lambda Chi Alpha Alumni Association

Education

J.D., Texas Tech University, Lubbock, TX, 2012
-- Articles editor, *Texas Tech Law Review*
-- Board of Barristers
M.B.A., Business Management, Texas Tech University, Lubbock, TX, 2012
B.A., *cum laude*, Communication Studies and Law & Society,
New Mexico State University, Las Cruces, NM, 2009

Admissions

State Bar of Texas
State Bar of Kentucky
United States District Court, Western District of Kentucky

See www.ScottHulse.com
for a more detailed bio on
Mr. Downey



James M. H. Feuille
Associate Attorney

James “Jimmy” Feuille practices in the areas of commercial litigation, creditors’ rights, and labor and employment law.

His practice also includes bankruptcy and restructuring, appeals, construction law, labor and employment, and education law. He is licensed to practice law in both Texas and New Mexico.

Jimmy is experienced in the courtroom, including participation in five jury trials (two as first chair, and three in a supporting role). He also served as a first chair in a state court bench trial and second chair in three bench bankruptcy trials.

He maintains an active motion practice, including one state court appellate victory, 11 summary judgments, one Rule 12(b)(6) dismissal in New Mexico federal court, one temporary injunction which forced settlement, 12 workers’ compensation contested case hearing victories, and three workers’ compensation request for review (appeal) victories. His arbitration experience includes a favorable labor and employment arbitration settlement, settling for, essentially, litigation costs.

While in law school, Jimmy was awarded the Dean’s Achievement Award for Mass Media Law. He also interned with Judge Charles Holcomb of the Texas Court of Criminal Appeals and clerked for the Office of the Solicitor General of Texas.

He was born and raised in El Paso, Texas.

Community Involvement

Greater El Paso Chamber of Commerce’s Leadership Class, Graduate
Junior Leadership El Paso, Board Member

Education

J.D., University of Texas at Austin, Austin, TX, 2012
Member, *Texas Review of Law and Politics*
Articles and Notes Editor, *Texas International Law Journal*
B.A., History, University of Texas at Austin, Austin, TX, 2009

Admissions

State Bar of Texas
State Bar of New Mexico
United States District Court, Western and Southern Districts of Texas
United States District Court, District of New Mexico
United States Court of Appeals, Tenth Circuit
United States Bankruptcy Court, Western District of Texas
United States Bankruptcy Court, District of New Mexico

See www.ScottHulse.com
for a more detailed bio on
Mr. Feuille



Javier Macias
Associate Attorney

See www.ScottHulse.com
for a more detailed bio on
Mr. Macias

Javier Macias is a member of the Labor & Employment practice section, where he advises clients on labor and employment matters, and serves as proactive legal counsel for employers, and assists in litigation.

Since joining the Firm, Javier has successfully negotiated with a labor union on behalf of a local employer, successfully negotiated a favorable settlement for a client involving claims of employment discrimination, and successfully defended a claim of wrongful termination on behalf of a local school district.

He also successfully upheld an administrative decision with the Texas Commissioner of Education on behalf of a local school district.

While attending law school, Javier served as a law clerk for the Texas Civil Rights Project in El Paso, Texas, primarily in the areas of ADA and immigration-related claims. He also served as a legal intern at El Paso County Court at Law Four for Judge Alex Gonzalez.

He is a graduate of Cathedral High School in El Paso, Texas and is fluent in Spanish.

Education

J.D., *cum laude*, University of Detroit Mercy School of Law, Detroit, MI, 2015
B.B.A., University of Notre Dame, Notre Dame, IN, 2007

Admissions

State Bar of Texas

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Business Practices

Billing Rates

ScottHulse offers competitive rates in the U.S./Mexico Borderplex region, including West Texas, South Central Texas, and Southern New Mexico. Alternate fee arrangements are considered on request.

The Firm actively works to manage costs in several ways, including: a) an emphasis on litigation avoidance; b) knowledge of how to pursue legal goals within the local legal system; and c) local representation that avoids travel time and expense.

Electronic Billing

ScottHulse supports a range of electronic billing software services, including but not limited to:

- Acuity
- Collaborati
- Counsel Link
- CSC Global
- Harcoliss
- Legal Bill Review
- Legal eXchange - Bottomline
- Legal Precision
- Legal X - Allegient
- Tracker Serengetilaw
- Tymetrix360

Ethics and Professional Liability

ScottHulse does not typically represent plaintiffs in personal injury matters. Neither the Firm, nor any of its attorneys, has been subject to any disciplinary action by a state bar association.

The Firm maintains primary professional liability coverage through Berkshire Hathaway AM Guard (\$3 million) with excess coverage of \$4.5 million through Ironshore Indemnity, for a total of \$7.5 million.

References

The following clients, named with permission, are available to serve as references for ScottHulse. Contact information is available on request.

- Karl Busch, Owner/Operator, Cicis Pizza
- Jeanne Collins, General Counsel, El Paso Independent School District (EPISD)
- Ceci Mulvihill, CEO, RMPersonnel, Inc.
- Mitch McBeth, CEO, El Paso Orthopaedic Surgery Group, P.A.
- Stanley Santos, CEO, Food City, Inc.
- Salvador Balcorta, CEO, La Fe Preparatory School
- Pat Woods, COO, Desert View Homes
- Dean Rigg, CFO, Mesilla Valley Transportation
- Debra Zuloaga, CEO, United Way of El Paso County

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