

MATTHEW D. STAYTON Partner

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BIOGRAPHY

Matthew D. Stayton is a partner in the firm's Appellate and Litigation sections. His practice focuses on representing clients at all levels of the federal and state appellate courts. He has argued appeals at the Supreme Court of Texas, Fifth Circuit Court of Appeals and many Texas appellate courts. Mr. Stayton has worked on precedent setting appeals for both worldwide companies and individuals alike on a wide variety of matters. His experience and knowledge, combined with a prior judicial clerkship, bridges the gap between a trial court ruling and success on appeal.

Mr. Stayton has been recognized as a Super Lawyer and a Texas Rising Star by *Texas Monthly* magazine. In 2014, he taught as an adjunct professor at Texas Tech School of Law. He previously served as both the Chair of the Appellate Section and CLE Committee of the Tarrant County Bar Association. He is also an active author and speaker on appellate and trial issues.

EXPERIENCE AND HIGHLIGHTS

- *Jackson Walker, LLP v. Kinsel*, No. 07-13-00130-CV, 2015 WL 2085220 (Tex. App.—Amarillo Apr. 10, 2015, pet. filed) (mem. op.) (reversal of multi-million dollar fraud and tortious interference judgment against law firm and its partner)
- *Crosstex N. Texas Pipeline, L.P. v. Gardiner*, 451 S.W.3d 150 (Tex. App.—Fort Worth 2014, pet. filed) (reversing \$2 million nuisance award against interstate pipeline company)
- *Lermon v. Minyard Food Stores, Inc.*, No. 05-13-00034-CV, 2014 WL 6466840 (Tex. App.—Dallas Nov. 19, 2014, pet. denied) (mem. op.) (reversal of \$1 million dollar malicious prosecution and negligent hiring judgment)
- *Potts v. Chesapeake Exploration, L.L.C.*, 760 F.3d 470 (5th Cir. 2014) (affirming trial court's dismissal of royalty owners' suit against operator)
- *Fleet Oil & Gas, Ltd v. EOG Res., Inc.*, No. 10-11-00289-CV, 2014 WL 2159537 (Tex. App.—Waco May 22, 2014, pet. denied) (mem. op.) (reversal of trial court's attorneys' fees awards totaling over \$600,000)
- *HMC Hotel Properties II Ltd. P'ship v. Keystone-Texas Prop. Holding Corp.*, 439 S.W.3d 910 (Tex. 2014) (reversal of \$59 million tortious interference award for lack of causation)
- *Ryals v. Am. Airlines, Inc.*, 553 Fed. Appx. 402 (5th Cir. 2014) (affirming dismissal of employment discrimination claims against airline carrier)
- *Schmidt v. Richardson*, 420 S.W.3d 442 (Tex. App.—Dallas 2014, no pet.) (reversal of trial court injunction preventing officers and board of directors of company from developing mineral interests on 600 acre property)
- *Riemer v. State*, 392 S.W.3d 635 (Tex. 2012) (reversal in favor of proposed class certification suit against the State of Texas)
- *In re W.L.W.*, 370 S.W.3d 799 (Tex. App.—Fort Worth 2012, no pet.) (obtained mandamus relief overturning trial

court's significant alterations of property divisions in divorce decree)

- *CabelTel Intern. Corp. v. Chesapeake Exploration, L.L.C.*, No. 02-11-00224-CV, 2012 WL 2849289 (Tex. App.—Fort Worth July 12, 2012, pet. denied) (mem. op.) (upholding \$500,000 trial court award in favor of operator for breach of contract)
- *Escondido Services, LLC v. VKM Holdings, LP*, 321 S.W.3d 102 (Tex. App.—Eastland 2010, no pet.) (affirming judgment in trespass to try title action involving minerals underlying a 14 acre tract)
- *Texas Specialty Trailers, Inc. v. Jackson & Simmen Drilling Co.*, No. 2-07-228-CV, 2009 WL 2462530 (Tex. App.—Fort Worth Aug. 13, 2009, pet. denied) (mem. op.) (affirming \$3.2 million negligence and deceptive trade practices judgment)
- *Bandera Drilling Co. v. Sledge Drilling Corp.*, 293 S.W.3d 867 (Tex. App.—Eastland 2009, no pet.) (reversal of enforcement of covenant not to compete)
- *Mclver v. American Eagle Airlines, Inc.*, 413 Fed. Appx. 772 (5th Cir. 2011)
- *In re Spiller*, 303 S.W.3d 426 (Tex. App.—Waco 2010, no pet.)
- *Sun-Key Oil Co., Inc. v. Cannon*, No. 11-07-00025-CV, 2009 WL 626071 (Tex. App.—Fort Worth 2009, pet. denied)
- *Hyundai Motor Co. v. Vasquez*, 189 S.W.2d 743 (Tex. 2005)
- *Le Meridien Hotels & Resorts v. LaSalle Hotel Operating Partnership I, L.P.*, 141 S.W.3d 870 (Tex. App.—Dallas 2004, no pet.)

AFFILIATIONS AND HONORS

AFFILIATIONS

- Texas Bar Foundation
- Tarrant County Bar Association
- Tarrant County Bar Association, CLE Committee, Chair, 2014-2015.
- Tarrant County Bar Association, Appellate Section, Chair, 2012-2013
- State Bar of Texas
 - Appellate Section
 - Litigation Section
- Eldon B. Mahon Inn of Court, 2005-2007
- Texas Tech School of Law, Adjunct Professor, 2014
- Briefing Attorney to Chief Justice Rex Davis, Tenth District Court of Appeals, Waco, Texas, 2001-2002

HONORS

- Top Attorney in Appellate Law, *360 West* magazine, 2017-2018
- Texas Super Lawyer, Thomson Reuters, 2014-2018
- Top Attorney, *Fort Worth, Texas* magazine, 2006-2018
- Texas Super Lawyers Rising Star, Thomson Reuters, 2009-2014

EDUCATION

- Texas Tech University School of Law, J.D., 2001
- Baylor University, B.A., 1997

ADMISSIONS

- State Bar of Texas, 2001
- U.S. Court of Appeals, Fifth Circuit

SPEECHES & PUBLICATIONS

- "Arbitration and the Judicial System: Trends, Tips and the Changing Relationship Between Arbitration and the Courts," 32nd Annual Keeton Civil Litigation Conference, Austin (2008)
- "Voi Dire Strategies after Cortez and Hyundai", Advanced Personal Injury Law Course, San Antonio and Houston (2007)
- "Error Preservation in Jury Selection", Advanced Civil Appellate Law Practice Course, Austin (2006)
- "Preservation of Error", Advanced Personal Injury Law Course, Dallas (2006)
- "Preservation of Error", numerous CLE papers/speeches (2003-present)