



## Hon. Daniel Hinde

### Profession

Visiting Judge, Arbitrator, Mediator, Consultant

### Work History

Visiting Judge, Arbitrator, Mediator, Dan Hinde PLLC, 2022 – Present;  
Partner, Schiffer Hicks Johnson PLLC, 2019 – 2022;  
State District Judge, 269th District Court, State of Texas, 2008 – 2018;  
Senior Counsel, Steele Sturm PLLC, 2008;  
Associate, Vinson & Elkins LLP, 1999 – 2008;  
Assistant District Attorney, Dallas County District Attorney's Office, 2003;  
Law Clerk, U.S. District Judge Sim Lake - Southern District of Texas, 1997 – 1999.

### Experience

Served for more than 10 years as a state trial judge of the highest level trial court, trying civil cases with no maximum limit on the amount in controversy and conducting nearly 300 jury and nonjury trials while handling more than 15,000 cases. Board Certified in Civil Trial Law by the Texas Board of Legal Specialization. Elected to membership in the American Law Institute. Since 2020, Chair of the Pattern Jury Charge Oversight Committee of the State Bar of Texas, which is responsible for reviewing and approving the nine volumes of the Texas Pattern Jury Charges.

Experience handling, hearing, and resolving the full range of civil litigation, with a focus on complex commercial disputes; oil, gas, and energy-related lawsuits; internal-governance controversies; noncompete and nondisclosure cases; employment controversies; insurance coverage cases; partnership disputes; construction cases; fiduciary-duty, fraud, breach-of-contract, and real-estate claims; and trade-secret litigation.

As a judge, handled and decided numerous large, complex, high-stakes cases in Houston, Texas, a venue well-known for large, complex cases and talented attorneys. In this capacity, handled numerous Daubert motions, motions for summary judgment, motions to dismiss, and evidentiary hearings, including nonjury trials requiring the judge to weigh the evidence and the credibility of the witnesses.

Extensive experience in oil, gas, and energy cases. For example, presided over a two-week bench trial between an upstream oil producer and a railroad tank car lessor concerning alleged corrosion in 500+ tank cars. Tried a case brought by a nonworking interest owner against a joint operator for allowing an oil-and-gas lease to lapse. Presided over a suit over the rights to lease-bonus payments for offshore leases. Tried a drilling contractor's trade-secret case concerning a drill-bit

design. Tried a products-liability case against a pipe manufacturer when downhole pipe failed. Presided over multi-week pipeline construction dispute.

Deep experience handling noncompete disputes. Presided over innumerable temporary-injunction hearings brought to enforce noncompete agreements, as well as several trials in both employment and nonemployment contexts. In the latter category, tried a multimillion-dollar noncompete claim brought by a company that acquired several grocery stores and against the seller for allegedly setting up competing grocery stores. Mediated numerous such cases as a mediator since leaving the bench.

Additionally, significant experience trying complex commercial and internal-business disputes. For example, tried several complicated partnership disputes over alleged misuse of partnership profits and funds. Additionally, tried a dispute over a joint venture to mine iron ore, a multimillion-dollar real-estate case in which the seller claimed he was defrauded, a complicated fraudulent-transfer claim arising out of a bankruptcy, and a lawyer's claim to profits after he resigned from his law firm.

Moreover, substantial experience handling trade-secret and high-technology suits. For example, tried several trade-secret cases involving methods for mining pot ash in the Moab desert, synthesizing and using fluorine gas to harden portable gasoline cans, and methods for extracting zinc from recycled metal, as well as a claim for theft of a drill-bit design.

Substantial experience with complex construction cases as both a judge and a lawyer, including disputes over construction of multistate pipelines, high-rise buildings, and industrial chemical plants, as well as home construction suits.

As a lawyer, significant experience in trials, arbitrations, and appeals, including arguing for and against motions to compel arbitration, motions to confirm or vacate arbitration awards, and appeals involving decisions on such motions.

**Alternative Dispute  
Resolution Experience**

Have served as an arbitrator and special master in numerous disputes. Also mediated over 100 cases.

**Alternative Dispute  
Resolution Training**

ACE 22 - Process Essentials for AAA Arbitrators, 2022; ACE21 Impartiality: Do You Know Where Your Biases Are? 2021; Best Practices for Arbitrators in Expedited/Fast Track Arbitrations, 2020; AAA Arbitration Awards – Safeguarding, Deciding and Writing Awards, 2020; Arbitration Fundamentals and Best Practices for New AAA Arbitrators, 2020

**Professional License**

Admitted to the Bar: Texas, 1997; U.S. District Court: Southern, Northern, and Eastern Districts of Texas; U.S. Court of Appeals: Fifth Circuit; U.S. Supreme Court.

Board Certified in Civil Trial law, Texas Board of Legal Specialization; College for Judicial Studies--Civil Jurisprudence.

## **Professional Associations**

- Board Certified--Civil Trial Law, Texas Board of Legal Specialization
- American Law Institute
- Texas Association of Civil Trial and Appellate Specialists
- Chair, State Bar of Texas Pattern Jury Charge—Oversight Committee
- State Bar of Texas
- College of the State Bar
- Texas Bar Fellows
- Bar Association of the Fifth Federal Circuit
- Federal Bar Association
- Houston Bar Association
- American Bar Association
- American Inns of Court – Garland Walker Chapter
- Asian-American Bar Association
- Association of Women Attorneys
- Hispanic Bar Association
- Mexican-American Bar Association of Houston

## **Education**

College for Judicial Studies, Texas Center for the Judiciary (2018);  
University of Texas School of Law (Doctor of Jurisprudence with Honors-1997);  
Texas A&M University (Bachelor of Science, Electrical Engineering, Magna Cum Laude-1994).

## **Recent Publications & Speaking Engagements**

### **PUBLICATIONS:**

- "What'd I Miss? An Update on the Texas Pattern Jury Charges," 31st Annual Conference on State and Federal Appeals, June 10, 2021
- "Special Judges Could Relieve Local Civil Trial Backlog," HOUSTON BUSINESS JOURNAL, Apr. 26, 2019, at 42
- "The Jury Charge," Civil Appellate Practice 101 Course Materials, September 2017 (update of conference material)
- "Motions for Continuance," THE ADVOCATE, Fall 2015, at 54
- "Judicial Perspective," TEXAS ADR HANDBOOK (State Bar of Texas Alternative Dispute Resolution Section), 2014 (co-authored with Judge John Coselli)
- "A Glossary of Common Trial Objections," THE HOUSTON LAWYER, July/Aug. 2013, at 18
- "What Law Applies?," THE HOUSTON LAWYER, July/Aug. 2012, at 16

### **SPEAKING ENGAGEMENTS:**

- "What'd I Miss? An Update on the Texas Pattern Jury Charges," 31st Annual Conference on State and Federal Appeals, June 10, 2021
- "Jury Charges: Perspectives from the Bench and Bar," HBA Appellate Section (July 2020)

- "The Courts' Role at the Apex of State Power: Public Health Restrictions in the Time of Pandemics," Houston and Austin Chapters of the Federalist Society (April, May 2020)
- "Polishing Your Evidence: Technology in the Courtroom, Including Apps," Houston Bar Association Bench-Bar Conference (2019)
- "Trying Your Maritime Case in State Court," 26th Annual Admiralty and Maritime Law Conference, Sept. 2017
- "Litigation on the Gulf Coast," Panel Discussion, Marine and Energy Law Conference, Oct. 2017
- "Effective Voir Dire," Mexican-American Bar Association of Houston (2018)
- "Pleading, Discovery, and Defending cases as an Attorney ad Litem," Harris County District Courts' Seminar on "Fundamentals of Serving as an Attorney ad Litem" (2018)
- "The Texas Citizens Participation Act: An Effective SLAPP on Injunctive Overreach or an Impediment to Just Relief in Workplace Disputes?" (Panel Discussion) State Bar of Texas Annual Convention, Labor & Employment Track (2018)
- "Effective Voir Dire," Houston Northwest Bar Association (2017)
- "The Jury Charge," State Bar of Texas Civil Appellate Practice 101 Seminar (2017)
- "The Ins and Outs of Early Dismissal," Texas Regional Judicial Conferences (2017)
- "Effective Voir Dire," Houston Bar Association Litigation Section (2016)
- "Implementing, Enforcing, and Amending Discovery Orders," Texas Regional Judicial Conferences (2016)
- "The Courts in Harris County," Cy-Fair Chamber of Commerce (2016)
- "60 Apps in 60 Minutes," Houston Bar Association Bench-Bar Conference (2015); Texas Regional Judicial Conferences (2012)
- "Objection!" Litigation Section, Houston Bar Association (2015)
- "Trial Objections," Mexican-American Bar Association of Houston (2015)
- "Effective Voir Dire," Association of Women Attorneys (2014)
- "Top Mistakes Attorneys Make in Civil Litigation" (Panel Discussion), CLE Conference: As Judges See It (2014)
- "Effective Voir Dire," Houston Northwest Bar Association (2014)
- "Jury Service," Houston Reveille Club (2014)
- "iJudging," Texas Annual Judicial Conference, 2013; Texas Regional Judicial Conferences (2012)
- "There's an App for That," Advanced Civil Trial Course (2012).

## **Awards and Honors**

- Elected to membership in the American Law Institute
- Civil Jurisprudence Certificate, College for Judicial Studies (Texas Center for the Judiciary);
- Board Certified in Civil Trial Law, Texas Board of Legal Specialization;
- Outstanding Legal Article Award, Houston Bar Foundation.