

#### Practice Areas

- Commercial Litigation

#### Education

- South Texas College of Law - 2013
- Florida State University - 2010

#### Honors

- Texas Super Lawyers, Rising Star (2023-2024)

#### Bar Admissions

- Texas
- United States District Court - Southern District of Texas

## Michael Feibus

Senior Counsel

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Mike Feibus is an experienced trial lawyer with an emphasis in complex personal injury and commercial litigation. He has prosecuted and defended claims on behalf of both individuals and businesses of all sizes, from sole proprietors to Fortune 500 companies, in areas including commercial business disputes, commercial and residential construction, personal injury defense, insurance fraud and consumer law violations. Mike works hard to provide the strong aggressive representation his clients deserve and to ensure they are always confident that their interests are being protected.

#### Significant Cases

- Obtained complete dismissal of \$2M claims by general contractor against owner of apartment complex after filing counter-claims for fraud, conspiracy and breach of contract. Additionally discovered evidence of collusion between the Plaintiff and an executive employee and interviewed and assisted with the termination of the same.
- Obtained multiple temporary restraining orders, including a temporary injunction, against buyer of multiple restaurants and declared buyer in default of multiple purchase and secured collateral agreements. Issues included buyer's wrongful attempt to disqualify an arbitrator selected by name in a contract, disqualification of buyer's counsel, re-possession of secured collateral at multiple leasehold locations, client's potential personal exposure due to buyer's failure to file any required Texas tax reports, and multiple landlords and contractors' attempts to hold client personally liable for buyer's nonpayment of rent or services. Buyer ultimately was forced to reimburse client's fees and relinquish all secured collateral and some restaurant locations.
- Prosecuted indemnification and breach of contract claims on behalf of home builder against roofing and HVAC contractors for 31 homes with mold and subsequent inspection, remediation, and loss of use damages. Asked to take over 2 months before arbitration, multiple depositions were taken and all claims were resolved for the majority of the client's damages, including recovery of a significant insurance pay out originally denied 12 months earlier.

## **Michael Feibus, Continued**

- Obtained or defended against temporary restraining orders and temporary injunctions for cases involving insolvent defendants, TUFTA transfers, anti-suit injunctions, business divorces, removal and/or dispossession of secured collateral and violations of HOA deed restrictions.
- Defended against application for temporary restraining order and temporary injunction regarding dissolution and sale of the largest international bitcoin mining company at the time. Achieved dismissal of Texas Court's claims against entity on grounds of mandatory venue provision.
- Obtained summary judgment dismissing all of Plaintiffs' premises liability claims against client regarding allegations of a minor child injured while playing on playground equipment. Summary judgment was upheld by the First Court of Appeals.
- Assisted landlord with breach of contract claim for non-payment of commercial rent. Before suit was filed, discovered the existence of a pending bankruptcy suit which allowed the trustee to immediately terminate the lease and grant client immediate right to re-enter.
- Obtained 6-figure settlement for lost revenue on behalf of boat owner against manufacturer for negligent operation of boat during trials and testing.
- Prosecuted breach of contract and equitable claims against horizontal drilling contractor for failure to pay 7-figure invoice.
- Negotiated and resolved numerous 7 figure disputes between horizontal directional drilling contractor client and various tier subcontractors.
- Obtained unanimous defense verdict on behalf of feed store owner in forklift-rollover lawsuit involving serious orthopedic injuries.
- Obtained unanimous defense verdict on behalf of insurance agent against claims of insurance fraud, violations of the Texas Deceptive Trade Practices Act, negligent misrepresentation and breach of fiduciary duty.
- Obtained favorable defense verdict on behalf of homeowners against claims of real estate fraud, violations of the Texas Deceptive Trade Practices Act, breach of contract, and civil conspiracy. In addition to the favorable jury finding, zero dollars in attorneys fees were awarded to the Plaintiff.
- Successfully and confidentially resolved 6 wrongful death claims brought against a Chinese tire manufacturer involving allegations of manufacturing and design defects.
- Mock tried a case in Nebraska on behalf of a roadway contractor involving a rear-end accident, fire, and ultimate death of a family of 5. Prevailed on liability with over \$150M awarded in damages.
- Defended subcontractor in plant explosion involving 51 Plaintiffs before achieving dismissal of all claims against client.
- Obtained \$500,000 settlement on behalf of oil services company based on equitable claims.
- Obtained summary judgment in wrongful death premises liability suit brought against homeowner.