

CARLOS LOPEZ

PARTNER • DALLAS/FORT WORTH

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972-734-5490



Former State District Judge Carlos Lopez is the Managing Partner of Thompson & Horton's Dallas and Fort Worth offices. Prior to becoming a Judge, Carlos served as assistant district attorney for Harris County for one year and Dallas County for two years. Judge Lopez presided over Dallas County Court at Law No. 2 from 1996 to 2000 as well as the 116th Judicial District Court from 2000 to 2003. Judge Lopez consistently received the highest ratings from the attorneys whose cases he handled.

Carlos focuses his litigation practice on representing governmental entities and public educational institutions in grievances, administrative hearings, litigation and appeals at all levels of Texas state courts as well as federal courts in the Fifth Circuit. His success in defending public entities includes obtaining summary dismissal of significant breach of contract claims. Judge Lopez has also successfully defended school districts against Title VII, Americans with Disabilities Act, Age Discrimination in Employment Act, Family Medical Leave Act, Texas Whistleblower Act, and Chapter 21 Texas Labor Code claims as well as 42 U.S.C. §1983 civil rights actions, including various First Amendment, Equal Protection, procedural and substantive Due Process, excessive force and search and seizure claims.

In addition to his broad litigation experience, Carlos is a highly regarded Arbitrator and member of the AAA's prestigious, nationwide Large/Complex Case panel. Since leaving the bench, Judge Lopez has served as Arbitrator in over 300 cases involving virtually every type of arbitration matter, but primarily in matters involving construction disputes, breach of contract (including disputes related to corporate acquisitions and health care liability issues), executive compensation agreements, employment disputes (including discrimination claims), workers' compensation nonsubscriber injury cases, premises liability and misappropriation of trade secrets and violation of noncompetition agreements as well as cases alleging violations of Prompt Pay statutes. Judge Lopez has arbitrated matters in Texas, Oklahoma, New York, Oregon, Miami and Puerto Rico.

Carlos maintains a robust mediation practice (both by Court Order as well as agreement of the parties) and has successfully mediated several hundred cases involving all of the above types of litigation and disputes pending in State and Federal Courts all over Texas, as well as other states and Mexico. Carlos has served as court-appointed special master in State as well as Federal Court litigation involving breach of contract (including disputes related to corporate acquisitions) and construction litigation, as well as in automotive rollover fatality accidents.

Judge Lopez has arbitrated, mediated or acted as Special Master in matters in Texas, Oklahoma, Portland, Chicago, New York City, Miami, Puerto Rico, Mexico and Venezuela.

SELECTED CLIENT REPRESENTATIONS

Defeated election contest challenge to community college client's \$1.1 billion bond measure after 11-day trial

Successfully argued in Dallas Court of Appeals to reverse jury verdict and obtain complete dismissal of employee's Texas Whistleblower Act claims

Successfully argued at Fifth Circuit to affirm dismissal and summary judgment against employee's 42 U.S.C. § 1983 procedural and substantive due process, and deprivation of bodily integrity claims

Obtained and defended summary judgment dismissal of employee's Family and Medical Leave Act retaliation claim

PRACTICE AREAS

Business and Commercial
Constitutional Law
Construction
Elections & Redistricting
Employment Law
General Counsel / Board Counsel
Government Relations & Public Policy
Higher Education
Litigation
Special Investigations
Training & Compliance

EDUCATION

J.D., Southern Methodist University School of Law 1991

B.A., Economics, Southern Methodist University 1988; Merit Scholar

LICENSING & COURT ADMISSIONS

Licensed in the state of Texas

U.S. Court of Appeals for the Fifth Circuit

U.S. District Court for the Northern, Eastern, Western and Southern Districts of Texas

MEMBERSHIPS & RECOGNITIONS

Elected 2000 Judge of the Year by Dallas Chapter of the American Board of Trial Advocates (ABOTA)

American Arbitration Association Neutral

National School Boards Association – Council of School Attorneys

Texas Association of School Administrators

Texas Association of School Boards

Texas Bar Association

Dallas Hispanic Bar Association

Trustee of Institute for Transnational Arbitration

**Thompson
& Horton** LLP

ATTORNEYS | COUNSELORS

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SELECTED CLIENT REPRESENTATIONS (CONTINUED)

Successfully argued in Dallas Court of Appeals to defend summary dismissal of breach of contract, misappropriation of trade secrets, and unconstitutional takings claims related to competitively bid \$40 million technology contract

Successfully defended school district in suits involving claimed violations of Texas Open Meetings Act, Worker's Compensation Act and FMLA

Represent school district in EEOC mediation process

Conducted investigations into allegations of employee misconduct for public school districts and college

Defend school district (including summary judgment) against lawsuits filed on behalf of students alleging Equal Protection and procedural and substantive Due Process violations arising out of student discipline, student abuse, and student assault

Routinely represent school districts in administrative hearings regarding contract non-renewal and termination under Chapter 21 of the Texas Education Code

REPRESENTATIVE PRESENTATIONS, TRAININGS, & SPEECHES

Ten Recent Court Decisions Every HR Director Should Know—September 23, 2016 Region 11 Human Resources Summit

Reading, Writing, and Reprimand: The ABCs of the Law Within the Schoolhouse Gates—June 2011 presentation at Human Resources Legal Symposium for school district

Former faculty member for Trial Techniques Program for Emory School of Law

Proper Use of Expert Witnesses—2003 State Bar Civil Litigation program