

Greg White

Education / Bar Admissions:

- Baylor University School of Law (J.D. 1982)
- Admitted to Texas Bar 1982
- Admitted to Practice in United States Supreme Court (1988)
- Fifth Circuit Court of Appeals (1985)
- Federal Circuit Court of Appeals (2010)
- United States Tax Court (2011)
- United States District Courts - Western, Texas (1984) Northern, Texas (1986) Southern, Texas (1988) Eastern, Texas (1989), and Northern, Mississippi (1991)

Member:

- Columbus Avenue Baptist Church (Teacher of *Frank Wilson Young Businessmen's Class*)

Things I Support:

- Baylor Law School
- Waco Baptist Academy
- Odell James Football Camp
- Texas Bar Foundation

Honors:

- Founding Member, Judge Abner V. McCall American Inn of Court (President 2002-2004)
- Selected as Texas Superlawyer (2013) (2014) (2015) (2016) Appellate Law
- Martindale Hubbell AV rating
- Life Fellow - Texas Bar Foundation
- President's Award from Texas Association of Defense Counsel (2008)

Certifications & Experience:

- Civil Appellate Law (1987), recertified (1992, 1997, 2002, 2007 and 2012)
- Civil Trial Law (1988), recertified (1992, 1997)
- CLE Speaker on Civil Rights in Eminent Domain, Civil Rights and Education Law
- American Board of Trial Advocates (Member 2011 to present) (TEX-ABOTA Chair: James Otis Lecture Series (2012-present) (President - Waco Chapter 2013-2014)
- Adjunct Professor, Baylor School of Law: United States Supreme Court Seminar - 1995 to present; Federal Practice - 1997 to 1999; Post-Conviction Remedies: Appeals & Habeas - 2005 to 2006; Business Litigation - 2007-2014; Civil Appeals - 2010; White Collar Crime - 2011; Appellate Advocacy & Procedure 2013-Present; Coach of National Moot Court Teams for 2009-2014 Competitions.

Selected Reported Cases:

Texas Supreme Court –

- *Texas Commission on Environmental Quality v. City of Waco*, 413 S.W.3d 409 (Tex. 2013) (Standing as an affected person under the Texas Water Code)
- *Texas Commission on Environmental Quality v. Bosque River Coalition*, 413 S.W.3d 403 (Tex. 2013) (Standing as an affected person under the Texas Water Code)
- *Hearts Bluff Game Ranch v. State* 381 S.W.3d 468 (Tex. 2012) (inverse condemnation related to permit application)
- *Merriman v. XTO Energy* 407 S.W.3d 244 (Tex. 2013) (accommodation doctrine)
- *Providence Health Center v. Dowell*, 262 S.W.3d 324 (Tex. 2008) (proximate cause in a suicide case)
- *Texas Department of Criminal Justice v. Simons*, 140 S.W.3d 338 (Tex. 2004) (Actual Notice under the Texas Tort Claims Act)
- *Jernigan v. Langley*, 195 S.W.3d 91 (Tex. 2006) (adequacy of expert report in health care liability claim)
- *Meyer v. Cathey*, 167 S.W.3d 327 (Tex. 2005) (business dispute involving fraud, fiduciary duty and trial sanctions)
- *WFAA-TV, Inc. v. McLemore* 978 S.W.2d 568 (Tex. 1998) (defining a public figure under Texas defamation laws)
- *1st Title Co. v. Garrett* 860 S.W.2d 74 & d 254 (Tex. 1993), and 802 S.W.2d 254 (Tex. App. - Waco 1990) (liability of Title Insurance companies and credits for prior settlements)
- *General Electric Credit Corp. v. Midland Central Appraisal District, et al*, 826 S.W.2d 124 (Tex. 1991) (constitutional issues of double taxation under State Tax System)
- *Kennedy v. Hyde*, 682 S.W.2d 525 (Tex. 1984) and 666 S.W.2d 325 (Tex. App.- Fort Worth 1984) (interpretation of Rules of Civil Procedure in Bank stock fraud case)
- *In re General Elec. Co.*, 271 S.W.3d 681 (Amicus) (Tex. 2008) (application of *forum non conveniens* in asbestos case)
- *JCW Electronics, Inc. v. Garza*, 257 S.W.3d 701 (Amicus) (Tex. 2008) (comparative fault in breach of warranty case)
- *City of Waco v. Lopez*, 259 S.W.3d 147 (Tex. 2008) (whistleblower case)
- *In Re: Discount Rental, Inc.*, 216 S.W.3d 831 (2007) (debtor's rights in property after reversal of case on appeal)

- *State Farm Life Ins. Co. V. Martinez*, 216 S.W. 3d 799 (Tex. 2007) (whether an interpleader case insulates insurance company from prompt payment responsibility)
- *Excess Underwriters at Lloyd's, London v. Frank's Casing Crew & Rental Tools, Inc.*, 246 S.W.3d 42 (Amicus) (Tex. 2008) (insurer's right to reimbursement where insured does not explicitly consent)

Texas Court of Criminal Appeals

- *Willingham v. State of Texas*, 897 S.W.2d 351 (Tex. Crim. App. 1995) (Death penalty involving qualification of experts and parole information to jury)
- *Ryan Francis Chase v. State of Texas* 448 S.W.3d 6 (Tex. Crim. App. 2014) (statute permitting killing of a dog that has recently attacked)

Federal Criminal Appeals

- *United States v. Miller*, 450 Fed. Appx. 415 (5th Cir. 2011) (Application of acceptance of responsibility guidelines)
- *United States v. Kelley*, 441 Fed. Appx. 255 (5th Cir. 2011) (Bank Robbery – aiding and abetting)
- *United States v. Torres-Zuniga*, 433 Fed. Appx. 307 (5th Cir. 2011) (application of Rule 32 to upward departures)
- *United States v. Fernandez-Sanchez*, 396 Fed. Appx. 111 (5th Cir. 2010) (deferred adjudication as a factor in criminal history)
- *United States v. Sauseda*, 596 F.3d 279 (5th Cir. 2010) - reversal of District Court decision on application of environmental enhancements in sentencing guideline
- *United States v. Watson*, 255 Fed. Appx. 876 (5th Cir. 2007) (suppression of evidence acquired in search of electronic data)
- *United States v. Reff*, 479 F.3d 396 (5th Cir. 2007) (appeal of murder conviction for lack of federal jurisdiction)
- *United States v. Harris*, 193 Fed. Appx. 333 (5th Cir. 2006) (sentencing issues)
- *United States v. Meshack*, 244 Fed.3d 367 (5th Cir. 2000) (Application of *Apprendi* in 5th Circuit)
- *United States v. Ortegon-Uvalde*, 179 F.3d 956 (5th Cir. 1999) (immigration appeal unconstitutional INS proceedings)
- *United States v. Moore*, 927 F.2d 825 (5th Cir. 1991) (relevant conduct as applied to drug quantity calculation)

- *In Re: Johnson*, 322 Fed.3rd 881 (5th Cir. 2003) (Death Penalty – Stay of Execution granted)
- *Johnson v. Dretke*, 394 F.3d 332 (5th Cir. 2004) and 442 F.3d 901 (5th Cir. 2006) (appeal of death penalty habeas corpus)
- *Johnson v. Cockrell*, 306 F.3d 249 (5th Cir. 2002) and 336 Fed.3rd 249 (5th Cir. 2003) (appeal of death penalty habeas corpus)

5th Circuit Appeals

- *Hummel v. Townsend*, 883 F.2d 367 (5th Cir. 1989) (dealing with diversity of citizenship for unincorporated associations)
- *Doe v. Hillsboro I.S.D.*, 81 F.3d 1395 (5th Cir. 1996) (official liability of School District Officials for the rape of a student by a janitor) (*en banc* decision at 113 F.3d 1412)
- *FTC v. Assail, Inc.*, 410 F.3d 256 (5th Cir. 2005) (appeal of contempt hearing against attorneys who were ordered to disgorge fees)
- *Jones v. Alcoa, Inc.*, 339 F.3d 359 (5th Cir. 2003) (appeal of employment discrimination – exposing black workers to asbestos)
- *George v. National Association of Letter Carriers*, 185 F.3d 380 (5th Cir. 1999) (appeal of case involving tortious interference by a union)
- *Stewart v. Waco Independent School District*, 711 F.3d 513 (5th Cir. 2013) (applicability of Rehabilitation Act to sexual assaults)
- *JSLG, Inc. v. City of Waco*, 504 Fed. Appx. 312 (5th Cir. 2012) (Sexually Oriented Business Ordinance in Waco, Texas upheld against constitutional challenge)
- *Estate of Montana Lance v. Lewisville ISD* (5th Cir. 2014) (Suicide of 4th Grade Student at school; claims under §504)

Federal Court Opinions

- *PVM v. Sun Valley Seed*, 734 F. Supp. 250 (N.D. Miss. 1990) (Enforceability of Plant Variety Protection Act by assignee)
- *Beech Acceptance Corp. v. Connell*, 771 F. Supp. 1154 (D.Kan 1991) (dealing with propriety of injunction in fraudulent transfer case under Texas and Kansas law)
- *Durish v. Uselton* 763 F. Supp. 192 (N.D.Tex. 1990) (dealing with statute of limitations for the receiver of an insolvent insurance company in case against officers and directors)

Family Law Appeals

- *In Re: Ybarra*, 2012 Tex. App. Lexis 6171 (Tex. App. - Waco 2012)
- *In Re: Payne*, 2011 Tex. App. Lexis 9611 (Tex. App. - Waco 2011)
- *In Re: S.R.S.*, 2011 Tex. App. Lexis 575 (Tex. App. - Waco 2011)
- *In the Interest of ABK*, 2007 Tex. App. Lexis 8918 (Tex. App. - Waco 2007)
- *In Re: ENC*, 2009 Tex. App. Lexis 1760 (Tex. App. - Austin 2009)
- *In the Interest of DSW*, 2010 Tex. App. Lexis 10327 (Tex. App. - Waco 2010)
- *In the Interest of RO*, 2005 Tex. App. Lexis 2990 (Tex. App. - Austin 2005)
- *In the Interest of HSJ*, 2010 Tex. App. Lexis 9208 (Tex. App. - Austin 2010)

Waco Court of Appeals

- *Haliburton v. Gilmore* 2013 Tex. App. Lexis 5544 (Tex. App. - Waco 2013) (disputed ownership of cattle)
- *Neptune Marine Services v. Gibson*, 2011 Tex. App. Lexis 3033 (Tex. App. - Waco 2011) (personal jurisdiction after special appearance)
- *Texas All Risk General Agency v. Apex Lloyds Ins. Co.*, 2010 Tex. App. Lexis 9035 (Tex. App. - Waco 2010) (agency contract - ambiguity and interpretation)
- *In Re: Altec Industries*, 2012 Tex. App. Lexis 5188 (Tex. App. - Waco 2012) (mandamus involving designation of responsible third parties)
- *Luchak v. McAdams*, 379 S.W.3d 361 (Tex. App. - Waco 2012) (nurses at public hospital are government employees for purposes of Texas Tort Claims Act)
- *Harrington v. Magellan Pipeline Co.*, 2011 Tex. App. Lexis 9844 (Tex. App. - Waco 2011) (interpretation of 1909 easement)
- *Harrington v. Magellan Pipeline Co.*, 2009 Tex. App. Lexis 2963 (Tex. App. - Waco 2009) (appeal of partition order requires separate appeals for ruling on equities of partition)
- *Brazos River Authority v. Brazos Electric Power Cooperative, Inc.*, 2010 Tex. App. LEXIS 4742 (Tex. App. - Waco 2010) (governmental immunity for suit on a contract where the contract did not involve the goods and services involved in the suit)
- *American Derringer Corp. v. Bond*, 924 S.W.2d 773 (Tex. App. - Waco 1996) (malicious prosecution in a trade secret case)

- *Mattlage v. Mattlage*, 243 S.W.3d 763 (Tex. App. – Waco 2007) (whether a gift in a will adeemed in the face of a conveyance of the property not completed prior to death of testator)
- *Blankenship v. Mirick*, 984 S.W.2d 771 (Tex. App. – Waco 1999) (proof necessary for the recovery of personal injury damages where expert testimony is unclear)
- *Trice v. State*, 712 S.W.2d 842 (Tex. App. – Waco 1996) and 694 S.W.2d 325 (Tex. App. – Waco 1995) (State’s rights in navigable waters)
- *Utley v. Marathon Oil Co.*, 958 S.W.2d 960 (Tex. App. – Waco 1998) & 31 S.W.3d 274 (Tex. App. – Waco 2000) (Dispute over interpretation of oil and gas lease, and termination date)
- *Tranum v. Broadway*, 283 S.W.3d 403 (Tex. App. – Waco 2008) (affirmed judgment for malicious prosecution and slander)
- *Farmer v. Holley*, 237 S.W.3d 758 (Tex. App. – Waco 2007) (Covenant not to compete)
- *Nichols v. Sedalco Const. Serv.*, 228 S.W.3d 341 (Tex. App. – Waco 2007) (dismissal for want of prosecution affirmed)
- *Coody Custom Homes LLC v. Howe*, 2007 Tex. App. Lexis 3603 (Tex. App. – Waco 2007) (arbitration provision still applicable after the parties agreed to settle)
- *Gilmore v. SCI Tex. Funeral Services, Inc.*, 234 S.W.3d 251 (Tex. App. – Waco 2007) (Zero damage award reversed and remanded)
- *Belcher v. Scott & White Clinic*, 2006 Tex. App. Lexis 6540 (Tex. App. – Waco 2006) (expert report required even where the injury was a fall from a wheelchair)
- *Baize v. Scott & White Clinic*, 2007 Tex. App. Lexis 366 (Tex. App. – Waco 2007) (change of counsel does not extend deadline to file expert report)
- *Wesley v. Amerigo Inc.*, 2006 Tex. App. Lexis 54 (Tex. App. – Waco 2006) (junior lien extinguished by prior foreclosure)
- *Best Disposal Services v. Burch*, 2005 Tex. App. Lexis 2588 (Tex. App. – Waco 2005) (admissibility of prior criminal record in auto accident where no crime alleged)
- *Dameron Oil Co. v. Majeed*, 2004 Tex. App. Lexis 4976 (Tex. App. – Waco 2004) (sublease does not grant option to purchase available to original lessor)
- *Merrimac Properties v. Combined Financial Corp.*, 2004 Tex. App. Lexis 4643 (Tex. App. – Waco 2004) (bidder at foreclosure sale need not be present to submit bid)
- *Wyse v. Department of Public Safety*, 733 S.W.2d 224 (Tex. App. - Waco 1986) (investigation in good faith provides qualified immunity)

Other Texas Appellate Courts

- *Quantum Electric, Inc. v. Scott & White Properties*, 2007 Tex. App. Lexis 8415 (Tex. App. – Eastland 2007) (proper venue in construction dispute)
- *Hamlin v. Gutermuth*, 909 S.W.2d 114 (Tex. App. – Houston [1st Dist.] 1995) (legal malpractice claims relating to conflicts of interest)
- *Crosbyton Seed v. Mechura Farms*, 875 S.W.2d 353 (Tex. App. – Corpus Christi 1995) (various issues on settlement credits and sufficiency of evidence in a dispute over seed quality)
- *Forestpark Enterprises v. Culpepper* 754 S.W.2d 775 (Tex. App. – Fort Worth 1988) (dealing with implied warranty of suitability for commercial property)

Selected Papers Presented:

- Co-Author & Presenter - *Risky Business: How to Shift Your Risks Through Contract or Statute* – Presented at Advanced Personal Injury Seminar (Fall 2010) and Waco McLennan County Bar Association (January 2011).
- Co-Author - *Eminent Domain & the Constitution* – CLE International (October 2010).
- Author & Presenter - *Theories of Constitutional Law: Background and Overriding Principles; Due Process; Equal Protection* – CLE International & Texas Municipal League (October 2009).
- Author & Presenter – *Punitive Damages: Legal and Ethical Considerations* – Texas Association of Defense Counsel (Spring 2008).
- Author & Presenter - *Federal Civil Rights Laws & Education* – 13th Annual Education Law Seminar (2006).