



Frank Alvarez

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“A great lawyer should be passionate, assertive and thorough. They should produce high-quality work and the best possible results. They should strive to be an asset to their clients and their profession.”

Practice Areas

Healthcare • Medical Malpractice • Commercial/Business Litigation • Consumer Finance • Intellectual Property & Technology Transactions • Sports & Entertainment • General Liability • Premises Liability • Products Liability

Frank Alvarez is a partner with the law firm of Hermes Sargent Bates, LLP in Dallas, Texas. Mr. Alvarez practices in the areas of healthcare, medical malpractice, commercial/business litigation, sports & entertainment, premises liability, general liability and products liability. He represents parties in litigation in both state court and federal court in claims involving health care systems, hospitals, physicians, allied health providers, ambulatory surgery centers, home health agencies, hospices, drug and medical device manufacturers, nursing homes, assisted living facilities and other long-term care facilities. He also represents parties before state and federal agencies, including the Texas State Board of Medical Examiners.

Mr. Alvarez advises clients about corporate compliance, risk management, contract negotiation, mergers and acquisitions, and provides practical training on medical/legal issues critical to the healthcare industry. He also represents multi-national and local businesses in a broad range of industries regarding claims involving business torts, breach of contract, trade secret, breach of fiduciary duty, tortious interference, and other causes of action encountered in today's business world.

Mr. Alvarez also represents parties in intellectual property disputes on both the plaintiff and defense sides. His experience includes trademark infringement litigation in many areas, including consumer finance, retail, healthcare, theft of trade secrets, and licensing disputes. Mr. Alvarez assists clients in trademark controversies, including pre-litigation disputes, proceedings before the Trademark Trial and Appeal Board of the United States Patent and Trademark Office (USPTO) and court proceedings.

Representative Experience

- Successfully represented some of the nation's leading providers of nursing home, assisted living, skilled nursing, acute care and long-term care services.
- Successfully represented health care systems, hospitals, physicians, allied health providers, ambulatory surgery centers, home health agencies, hospices, and drug and medical device manufacturers throughout Texas in a wide variety of claims.
- Successfully represented a specialized consumer finance company engaged in the purchase, securitization and servicing of retail installment contracts.
- Successfully managed full accountability for all trademark matters, including the procurement, prosecution, licensing, policing, enforcement, and transfer of intellectual property for clients in a variety of industries including finance, technology, consumer products, medical devices, and retail.
- Successfully obtained injunctive relief and negotiated co-existence agreements for companies within various industries.
- Successfully represented leading national consulting, engineering and testing firm in a wide variety of matters, including claims involving breach of employment agreements, debt collection claims and a multi-million dollar roof collapse claim.
- Successfully represented one of the nation's largest diversified wholesale distributors in a wide variety of matters.
- Successfully represented numerous physicians in mass tort litigation involving several prescription medications, including Rezulin, Fen-Phen, Serzone and Baycol. In all cases, the physicians were nonsuited without payment.
- Successfully represented physicians in matters before various medical boards.
- Successfully briefed an appeal to the Fort Worth Court of Appeals, upholding summary judgment in favor of a trucking company on the basis that mental anguish damages are not recoverable in Texas in the absence of physical injury.
- Prevailed on numerous motions to dismiss on behalf of physicians and other healthcare providers as a result of Plaintiff's failure to satisfy the requirements of applicable statutes governing medical malpractice cases in the State of Texas.

Certifications

- National Football League Players Association (NFLPA) Contract Advisor

Bar Admissions

- State Bar of Texas, 1996
- State Bar of New Mexico, 2007
- United States District Courts for the Northern, Southern, Eastern and Western Districts of Texas

Education

- Bachelor of Arts Degree in government from the University of Texas at Austin, 1993
- Juris Doctor Degree from St. Mary's University School of Law, 1996

Awards & Recognitions

- Rated AV by *Martindale-Hubbell*
- "Dallas' Best Lawyers under 40" - *D Magazine*, 2006

- "Texas Super Lawyer" - *Texas Monthly* and *Law & Politics Magazine*, 2004 - 2008
- "Texas Rising Star" - *Texas Monthly* and *Law & Politics Magazine*, 2004

Publications & Presentations

- Author and speaker, "Moving West: Basic Comparisons Between Texas and New Mexico Law," July 2009
- Author and speaker, "Top 10 Plaintiffs' Tactics and How to Combat Them," at Defense Research Institute Nursing Home/Assisted Living Facility Litigation Seminar, September 4, 2008
- Author and speaker, "Synergy Between Treating Patients and Managing Employees," at DFW Healthcare Human Resources Association, February 27, 2008
- Author, [Costello Limits Role of Nurses as Causation Experts](#)
- Author, Appellate Brief in *Fitzpatrick v. Copeland*, 80 S.W.3d 297, Tex. App. - Fort Worth 2002, pet. denied
- Co-author, "Pre-Suit Issues Arising From Texas Healthcare Liability Reform," September 2004
- Author and speaker, "The Impact of House Bill 4 and What it Means to You," July 2004
- Author and speaker on various healthcare liability and litigation topics.
- Author and co-author of papers and manuals on discovery rules, health maintenance organizations and premises liability.
- Speaker, "Legal Diversity Forum," Belo Mansion, Dallas, Texas, June 24, 2005.

Memberships

- Dallas Bar Association, Health Law Section
- Defense Research Institute
- North Texas Society for Healthcare Risk Management
- American Health Lawyers Association
- Texas Assisted Living Association
- Sports Lawyers Association
- Prevent Blindness, Texas Board of Directors
- SMU Athletic Forum, Board of Directors
- Dallas Association of Young Lawyers
- Texas Young Lawyers Association
- St. Mary's University Law Alumni Association, Former Member, Board of Directors
- Harmonie Group Healthcare Committee
- Dallas All Sports Association, Board of Directors
- St. Thomas Aquinas School Advisory Council

Personal

Frank was born in Oklahoma City, Oklahoma. He enjoys sports, travel and spending time with his family. Frank is also fluent in Spanish.