



Gino J. Rossini

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Practice Areas

Appellate

Gino J. Rossini's practice is devoted primarily to handling post-trial and appellate matters in both state and federal court, as well as providing related support at all stages of litigation.

Representative Experience

- Successfully represented appellee general contractor before the Supreme Court of Texas and the Court of Appeals, Second District of Texas, in an appeal brought by the subcontractor/engineer who claimed that the general contractor's claims were barred by its failure to timely provide a complying Chapter 150 certificate of merit. *CTL/Thompson Texas, LLC v. Morrison Homes*, 337 S.W.3d 437 (Tex. App.—Fort Worth 2011, pet. denied).
- Successfully represented appellee mortgage lender before the U.S. Court of Appeals for the Fifth Circuit in an appeal of summary judgment granted in the mortgage lender's favor on various claims associated with a property foreclosure. *Montgomery v. Wells Fargo Bank, N.A.*, Cause No. 11-10570, No. 11-10570 (5th Cir. 2012).
- Successfully represented appellee home builder before the Court of Appeals, Second District of Texas, in an appeal brought by homeowner challenging the trial court's enforcement of a settlement agreement releasing the homeowner's claims of faulty construction. *Crews v. Gordon*, Nos. 02-09-413, -414-CV, 2011 WL 2306814 (Tex. App.—Fort. Worth June 9, 2011).
- Obtained favorable settlement for an appellant engineering design professional before the Court of Appeals, Fifth District of Texas, after full briefing in an appeal of the trial court's denial of a motion to dismiss brought under Chapter 150 of the Texas Civil Practice and Remedies Code. *Morrison Seifert Murphy, Inc. v. Zion*, Cause No. 05-11-1093-CV (Tex. App.—Dallas).
- Representing an appellant developer before the Court of Appeals, Second District of Texas, in an appeal of the trial court's summary judgment on contract and negligence claims. *Sheffield Development Company, Inc. v. Carter & Burgess, Inc.*, Cause No. 02-11-204-CV (Tex. App.—Fort Worth).
- Representing an appellee before the Court of Appeals, Second District of Texas, in an appeal of the trial court's summary judgment on various tort claims including libel and false imprisonment. *DSW Masters Holding Corp., et al. v. Tyree, et al.*, Cause No. 02-11-296-CV (Tex. App.—Fort Worth).
- Representing an appellee hospital district before the Court of Appeals, Sixth District of Texas, in an appeal of the trial court's denial of the district's plea to the jurisdiction based on governmental immunity. *Titus Regional Med. Ctr., v. Cervantes, et al.*, Cause No. 06-11-120-CV (Tex. App.—Texarkana).
- As Staff Attorney, Court of Appeals, Second District of Texas, researched and drafted civil opinions for the Court's consideration.
- Researched and assisted in preparation of Realtors' successful Texas Supreme Court mandamus brief to enforce a provision waiving the right to a jury trial in a commercial real estate lease (lead associate), *In re Prudential Insurance Company of America*, 148 S.W. 3d 124 (Tex. 2004).

- Researched and briefed a variety of other mandamus issues, including motions to disqualify counsel and to broaden or limit discovery.
- Researched and briefed the defense steering committee's opposition to a constitutional challenge to Texas state silica reform legislation, including coordination with clients and co-counsel (Texas MDL trial court).
- Obtained favorable outcomes in multiple asbestos- and silica-related cases in Texas state court through preparation of motions attacking liability issues and plaintiffs' experts and advancing workers' compensation and nonsubscriber defenses.
- Prepared pretrial motions resulting in favorable trial-court rulings in a Sarbanes-Oxley whistleblower federal lawsuit.
- Obtained favorable settlement for the employer after extensive discovery and briefing in a suit to enforce a non-disclosure agreement against a former sales director.
- Represented employers in various Title VII, negligent supervision, non-disclosure, and non-compete lawsuits, in labor arbitrations, and in administrative hearings before the NLRB, EEOC, and TWC.
- Defended and prosecuted various civil actions, including alleged breach of contract, negligence, bad faith denial of claims, real estate fraud, DTPA violations, breach of warranty, and medical malpractice.
- Tried eight jury trials to verdict and thirty bench trials to judgment as a Lawyer on Loan, Dallas County District Attorney's Office.
- Argued before the 2nd Court of Appeals in Fort Worth, Texas.
- Argued before the United States Court of Appeals for the Fifth Circuit.

Bar Admissions

- State Bar of Texas, 1998
- United States District Court for the Northern, Eastern, and Western Districts of Texas
- United States Court of Appeals for the Fifth Circuit

Education

- Bachelor of Science in Foreign Service, *cum laude*, from Georgetown University, 1992
 - Studied one year at the Universidad de Sevilla, with direct matriculation and all coursework in Spanish
- Juris Doctor Degree, with honors, from the University of Texas School of Law, 1998
 - Articles Editor, *Texas Law Review*, vol. 76

Judicial Clerkships

- Staff Attorney, Court of Appeals, Second District of Texas, Fort Worth, 2009-2010
- Law Clerk to the Hon. George P. Kazen, United States District Judge, Southern District of Texas, 1998-1999

Awards and Recognitions

- Order of the Coif
- Eagle Scout

Publications and Presentations

- Co-Author, "*Daubert* —Today Versus Yesterday," 2005 DRI Asbestos Medicine Seminar
- Panelist, 2011 State Bar Appellate Section--Corporate Counsel Seminar, *Role of Appellate Counsel Outside the Appeal: Case Evaluation, Motions Practice, Error Preservation and the Jury Charge*

Memberships

- State Bar of Texas, Member, Appellate Section
- Dallas Bar Association, Member, Appellate Section
- Tarrant County Bar Association, Member, Appellate Section
- St. Thomas More Society, Member, Dallas Chapter

Community Service

- Dallas Housing Crisis Center, Board President, 2008-2009; Executive Committee, 2004-2010; Board Member, 2003-present
- St. Ann Catholic Church, Parishioner, Coppell, Texas