



## Michael Marconi

Of Counsel

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Dallas, TX – 214.774.4603

Michael Marconi is a seasoned trial lawyer who has represented plaintiffs and defendants in the broadest spectrum of litigation matters including disputes relating to contracts, unfair competition, personal injury, product liability, construction defects, premises liability, real estate, mineral leases, intellectual property, trade secrets, noncompetition agreements, and business divorces.

As an extension of his experience handling sophisticated complex commercial disputes, Michael has coordinated internal corporate investigations relating to the Foreign Corrupt Practices Act as well as in connection with allegations of price fixing in violation of the Sherman Act. Michael also has represented clients before OSHA and has appeared as counsel in proceedings before the Internal Revenue Service.

Before joining Wilson Elser, Michael was a partner at several top-tier law firms. In addition to trying numerous cases to verdict, Michael has worked on some of the highest-profile cases in the history of American jurisprudence including the Enron and Allen Stanford litigation.

Michael grew up in Spain, Italy, and Sweden. After graduating from Boston College, Michael was commissioned as a Second Lieutenant in the United States Army and thereafter completed both the Field Artillery Officer Basic Course and Airborne School. Michael served as an artillery officer in the Second Armored Division for four years and after being selected for promotion to captain, left active duty to attend law school.

### Education

- University of Texas at Austin School of Law (J.D., 1992)
- Boston College (A.B. Political Science & Slavic/Eastern Languages, 1985)

### Services

- Commercial Litigation
- Directors & Officers Liability
- Complex Tort & General Casualty

## **Bar Admissions**

- Texas

## **Court Admissions**

- U.S. District Court, Northern District of Texas
- U.S. District Court, Southern District of Texas
- U.S. District Court, Eastern District of Texas

## **Professional Affiliations**

- American Bar Association
- Dallas Bar Association

## **Awards & Honors**

- AV® rated by Martindale-Hubble
- Phi Beta Kappa

# **Representative Matters**

Lead counsel trial representation of electrical engineering firm in connection with a multimillion-dollar shareholder action in state district court. After a one-week trial and a demand for \$2.5 million on the morning of closing arguments, obtained a take-nothing verdict on behalf of clients.

Lead counsel trial representation of landlord sued in connection with a commercial lease dispute relating to a restaurant site. After a one-week trial and a demand for nearly \$1 million in damages, obtained a take-nothing verdict and an award of attorneys' fees.

Lead counsel trial representation of investors who sued a business owner for fraud and breach of contract in state court. Obtained a verdict for compensatory and exemplary damages and a take-nothing judgment on defendant's counterclaims.

Represented a Canadian pharmaceutical company in connection with a claim that it supplied product to a compounding pharmacy that resulted in several racehorses testing positive for banned substances as well as the disqualification of a prominent quarter horse trainer from future competitions. After three years of litigation and demands for millions of dollars, obtained a summary judgment weeks before trial.

Successful trial representation of one of the largest residential telecommunications carriers in the United States in a series of companion arbitration proceeding in Texas, Ohio, Hawaii, and Missouri relating to franchise agreements.

## Client Wins

### **Marconi and Willig Successfully Defend International Hospitality Group in Wrongful Death Case**

Michael Marconi (Of Counsel-Dallas, TX) and Garrett Willig (Partner-Houston, TX) secured a unanimous defense verdict on behalf of Wilson Elser's client, an international hospitality group encompassing restaurants, hotels and gaming, in a premises liability/wrongful death case tried in the 68th Judicial District Court of Dallas County, Texas. The plaintiffs claimed the decedent tripped over an allegedly defective concrete wheel stop in our client's parking lot, suffered a massive head injury from the fall, and died days later after he was transferred to hospice care. Less than a week before trial, the parties went to mediation and the plaintiffs never came off their demand for \$15 million to settle the case. At trial, the plaintiffs presented expert testimony that wheel stops pose an unreasonably dangerous trip hazard; that safer alternatives exist; that the wheel stop in question was particularly dangerous because a piece of rebar was exposed and because it was not painted to contrast with the parking lot floor. Michael, as lead counsel, presented expert testimony that wheel stops are very common and not unreasonably dangerous; that the restaurant group's parking lot complied with all the applicable ADA and municipal code requirements; and that the exposed rebar was insignificant. Our client's corporate representative testified that there was no history of wheel stop accidents at the restaurant group's parking lots prior to the accident at issue. The jury returned a 12-0 defense verdict less than two hours after commencing deliberations.