

# Mike McKool

## 2014 Lifetime Achievement Award

**As Chairman and a Founder of McKool Smith,** Mike McKool is largely responsible for creating what The Wall Street Journal describes as “one of the biggest law firm success stories of the past decade.” Since founding the firm in 1991, Mike’s leadership and courtroom achievements have helped McKool Smith grow into a national litigation powerhouse with 185 trial lawyers across eight offices from coast to coast.

“Our firm started out as an 11-attorney litigation shop in Dallas focused on commercial litigation,” Mike explained. “In 1996, clients began to engage us as the “trial team” in patent infringement cases, working with technical lawyers from other firms. We soon found ourselves involved in massive patent disputes which laid the groundwork for our firm earning a reputation as the “go to” firm for intellectual property litigation. In October 2000, we began adding scientist and engineer lawyers to our firm. Today, our ranks include more than 60 technically trained patent lawyers.”

McKool Smith’s courtroom successes are well-documented by VerdictSearch and The National Law Journal, which publish an annual listing of the “Top 100 Verdicts” in the United States. Indeed, the firm has won more “Top 100 Verdicts” over the last seven years than any other law firm. Since 2007, McKool Smith has secured nine nine-figure jury verdicts, as well as eight eight-figure jury verdicts, amounting to more than \$2.4 billion in awards for firm clients.

Also, according to Lex Machina, a provider of legal analytics, since 2000, McKool Smith has won more total trial awards in patent litigation than any other law firm in the country.

Mike grew up in Dallas and attended Jesuit High School before studying anthropology and graduating magna cum laude and Phi Beta Kappa from Notre Dame. In 1974, he graduated with honors from the University of Texas School of Law, as a member of the Order of the Coif and the Texas Law Review. He began his legal career at Hewett Johnson Swanson Barbee in Dallas.

**Over the past 40 years,** Mike has tried more than 100 jury trials and secured billions of dollars in verdicts and settlements for clients, which include major airlines and companies from the industrial, energy, telecommunications, and banking sectors, among others. Mike is consistently recognized as one of the country’s leading trial lawyers by legal directories such as The Legal 500, Lawdragon, and Benchmark Litigation, to name a few. In Chambers USA, he is ranked Band 1 in both commercial and intellectual property litigation. His Band 1 national ranking for “Trial Lawyers” puts him among an elite group of only 27 practicing trial lawyers in the country. In Chambers Global, he is again recognized as one of the country’s most esteemed trial lawyers, where he is ranked Band 1 in patent litigation, placing him among the top ranked 18 lawyers in the United States.

Chambers USA describes Mike as “simply one of the best,” stating that he is “extraordinarily focused and extremely quick on the uptake” and that “judges have the highest respect for him.” Chambers Global notes that he is “sought by companies needing a powerful and effective litigator for their most sensitive cases.” Citing his “huge intellect and superb courtroom skills,” Best Lawyers in America lists Mike in several categories, and has named him the 2015 Dallas Bet-the-Company Litigation “Lawyer of the Year.”

In 2012, Mike was named “Trial Lawyer of the Year” by the Dallas Bar Association (DBA). In bestowing Mike with the award, former DBA president Paul K. Stafford noted that Mike “is an example of all that is good in our profession—inquisitive by nature, committed to excellence, effective and ethical in and out of the courtroom.”



**Mike McKool**

McKool Smith principal Douglas Cawley couldn't agree more. "I've been with Mike in the courtroom many, many times" said Mr. Cawley. "While he is certainly an impressive trial lawyer, what's equally remarkable is the manner in which he practices law. Mike is always the most prepared person in the courtroom. He considers every fact and weighs every argument. On top of that, he is always very respectful to everyone, whether it's his legal team, support staff, or even opposing counsel. This high regard for respect and decorum truly sets Mike apart from his peers, and remains a critical part of the firm culture that he has created at McKool Smith."

**The culture at McKool Smith is something that Mike takes very seriously.** "We go to great lengths to ensure that our employees feel respected and appreciated," he explains. "At some firms, there is a huge divide between how partners, associates, legal assistants, and the support staff are regarded. That's not the way we operate. Everyone plays a role in the success of our firm. Everyone deserves respect, and everyone is appreciated."

At age 65, Mike remains committed to his trial practice. Last year, he represented his long-time client Ericsson, the Stockholm-based provider of telecommunications equipment and services, in extensive patent infringement litigation against Samsung. The parties' dispute encompassed more than fifty patents, and spanned two International Trade Commission (ITC) investigations and two actions initiated by Ericsson in the U.S. District Court for the Eastern District of Texas. Last January, he successfully argued an appeal before the U.S. Court of Appeals

for the Federal Circuit on behalf of Versata, which resulted in the Court upholding a \$391 million judgment that the firm secured for the company.

Mike was recently tapped by Alcoa Power Generating, Inc. as lead counsel to defend the company in a high-profile dispute against the State of North Carolina concerning ownership rights to submerged land and four hydropower dams that are built along the Yadkin River. A trial in Raleigh, N.C. is expected within the next six months.

Mike is a Fellow of the American College of Trial Lawyers and has been selected by the United States Court of Appeals for the Federal Circuit to serve on the Federal Circuit Advisory Council. He and his wife, Erin, live in Dallas with their 7-year-old son, Michael Finn. His daughter Raney lives in Austin, and his son Jack lives in Seattle.

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