



MICHAEL W. JOHNSTON

JOHNSTON LEGAL GROUP PC

FORT WORTH OFFICE
DISPUTE MANAGEMENT
CENTER
4200 AIRPORT FREEWAY
FORT WORTH, TEXAS
76117
(817) 820-0825
FAX (817) 820-0830
(800) 771-6946

HOUSTON OFFICE
5300 MEMORIAL DR.
SUITE 635
HOUSTON, TEXAS
77007
(713) 830-4816
FAX (713) 830-4815
(800) 771-6946

SAN ANTONIO OFFICE
206 E. LOCUST STREET
SAN ANTONIO, TEXAS
78212
(210) 734-3311
FAX (210) 734-3341
(800) 771-6946

LUBBOCK OFFICE
1014 BROADWAY
LUBBOCK, TEXAS
79401
(806) 281-0825
FAX (806) 281-0830
(800) 771-6946

OKLAHOMA OFFICE
300 N. WALKER
OKLAHOMA CITY, OK
73102
405 232-5300
FAX (405) 232-5301
(800) 771-6946

PRACTICE: Exclusively in the field of litigation.

The majority of Mr. Johnston's cases involve civil commercial matters representing insurance companies and financial institutions in first-party and third-party disputes and large subrogation cases. He also represents individuals, self-insureds and institutional clients in large personal injury, consumer, commercial, products liability, criminal and probate cases.

Since beginning his practice, Mr. Johnston has been the first chair attorney in over 75 jury trials. In addition, he has tried numerous non-jury trials, argued significant cases on appeal, presented zoning cases and tried cases in the Federal Administrative Courts.

EXPERIENCE: Mr. Johnston began his practice in March of 1980 as an associate in a well-known Fort Worth law firm. He was made a partner after less than three years of practice. He has been a shareholder/partner in Texas law firms ever since.

CERTIFICATIONS:

- BOARD CERTIFIED CIVIL TRIAL LAW
 - Texas Board of Legal Specialization
 - National Board of Trial Advocacy
- BOARD CERTIFIED CONSUMER AND COMMERCIAL LAW
 - Texas Board of Legal Specialization
- APPROVED LEVEL II COMMERCIAL PANEL ARBITRATOR
 - American Arbitration Association
- CERTIFIED MEDIATOR
- AV RATED ATTORNEY
 - Martindale Hubbell Legal Directory
- RECOMMENDED INSURANCE ATTORNEY
 - A.M. Best
- REGISTERED ARBITRATOR
 - National Arbitration Forum

LICENSES:

- State Bar of Texas – May 26, 1980
- United States District Courts for the Northern District of Texas – June 20, 1980
- United States Court of Claims – October 6, 1981
- United States Supreme Court – May, 1988
- United States District Courts for the Southern District of Texas – June 2, 1988
- United States District Courts for the Western District of Texas – August 29, 1989
- United States District Courts for the Eastern District of Texas – November 15, 2002
- United States Court of Appeals – 5th Circuit
- State Bar of Oklahoma – 2008

PROFESSIONAL ASSOCIATIONS:

- State Bar of Texas
- State Bar of Oklahoma
- Tarrant County Bar Association
- Tarrant County Civil Trial Lawyers Association
- Litigation Section - State Bar of Texas
- Consumer Law Section- State Bar of Texas
- Legal Network for Deaf and Hard of Hearing
- College of the State Bar of Texas
- National Association of Fire Investigators
- Defense Research Institute
- Baylor Law Review Association
- Texas Advisory Counsel on Arson
- Jewelers Security Alliance

Texas Residential Construction Commission
Affiliate Member of Property Loss Research Bureau
Strafford Insurance Law Advisory Board Member
National Fire Protection Association
North Texas Association of Defense Council
American Bar Association Advisory Panel
Litigation Counsel of America
Fellow of the Texas Bar Foundation
Texas Association of Defense Counsel
American Association of Insurance Management Consultants

HONORS:

Represented the prevailing party in Bien v. Grubbs Nissan, et al which was recognized by *The Texas Lawyer* as one of the most significant cases tried in Texas

Scoring Judge - National Finals of the Student Trial Advocacy Competition sponsored by the Association of Trial Lawyers of America – 1992

Who's Who in American Law (10th Edition, 11th Edition and 12th Edition)

Citizen Advisor to Representative Lon Burnam on insurance matters

Former Texas Wesleyan School of Law Adjunct Professor of Insurance Law.

Represented the prevailing party in Jewelers Mutual Insurance Company v. Gerard which was recognized by the *National Law Journal* as a case of national importance.

Recognized by *Fort Worth Magazine* as the best lawyer in Tarrant County in the fields of Insurance and Consumer Law.

Martindale Hubbell Legal Directory designation as a preeminent lawyer.

Designated as an Attorney of Excellence by the *Fort Worth Business Press* - Top 100 attorneys in Tarrant County.

Designated as a Super Lawyer by *Texas Monthly* (2005, 2006, 2007, 2008, 2009, 2010 & 2011). Top 5% of Texas Lawyers are selected.

- Special designation as one of the top insurance lawyers.

Designated as a Top Attorney in Houston by *H Texas* magazine. Only 3% of all of the practicing attorneys have been designated as top Houston attorneys.

Designated as a Best Lawyer in San Antonio by *Scene In S.A. Monthly*

Selected as a member of the Litigation Counsel of America, a trial lawyer Honorary Society that is by invitation only based upon a litigation attorney's reputation, competence and integrity.

PRESENTATIONS/ PUBLICATIONS: Texas Independent Insurance Adjusters Association Seminar, 1992 –“Examinations under Oath”

South Texas College of Law - Advanced Issues in Insurance “Bad Faith” Litigation Seminar, 1992 – “Defenses to Bad Faith Claims: Viable Defenses and Comparative Bad Faith Issues”

Texas Advisory Counsel on Arson - ATAC Membership Meeting, 1992 –“Practical and Legal Aspects of Cooperation between Insurance Companies and Governmental Agencies while conducting Arson Investigations”

Property Loss Research Bureau – Property Loss Managers Conference 1993, 1994
“Examinations under Oath”

South Texas College of Law - Litigation Seminar: Personal Injury and Insurance “Bad Faith”, 1994 – “Tactical Trial Strategies in "Bad Faith" Litigation”

Texas Association of Private Investigators Annual Meeting, 1994 –“How to Deal with Insurance Adjusters, Attorneys and Law Enforcement Officers All at the Same Time”

South Texas College of Law - Advanced Issues in Insurance “Bad Faith” Litigation Seminar, 1994 – “Use of Expert Witnesses in Bad Faith Cases”

Blackstone Seminar 1995 –“Highlights of Property and Liability Insurance for Transactional Attorneys”

Life & Health Newsletter: The Newsletter of DRI's Life, Health, Accident and Disability Insurance Committee, January, 1995 –“Responsibility of an Insurance Company for Misrepresentations of Coverage”

Property Loss Research Bureau - Property Loss Managers Conference, 1995 – “Latest Trends in Property Case Law”

Americans with Disabilities Act Seminar, 1995 -“Title III - Making Public Places Accessible”

Fort Worth Professional Women’s’ Association, 1995 -“Professional Liability”

AMSS Insurance Seminar, February 1996 –“Moriel and Beyond”

Texas Advisory Counsel on Arson - ATAC Membership Meeting, 1996 –“Legal Aspects of Arson Investigation”

Life & Health Newsletter: The Newsletter of DRI's Life, Health, Accident and Disability Insurance Committee, Fall, 1996 –“When is an Accident Really an Accident?”

Fire and Property Claims Investigations, August 8, 1997 – “It’s Arson! What Do I Do Now?”

ATAC Meeting, September 18, 1997 – “Subrogation Arising Out of Arson”

Jewelers Mutual Insurance Company Sales Seminar, 1998 – “Post-Loss Liability of Agents/How Can It Happen and How to Avoid It”

SIU Conference, October 1, 1998 – “Fighting Back!”

Germania Claims & Marketing Department Meeting, August 16, 1999 – “Resolving Insurance Disputes Outside of Litigation”

International Association of Special Investigation Units National Conference, September 12–16, 1999 – “Fighting Back! Counter-Claims Asserted by Insurance Companies against Policyholders”

USAA Fraud Recognition Seminar, October 14, 1999 – “Recognizing Fraud and Fighting it in the Courtroom”

Trinity University Greek Council, February 14, 2000 – “Hazing: It’s more than what you think”

Dallas Chapter of the International Association of Special Investigative Units, March 2, 2000 – “Digital Photographs: Technical Dream/Evidentiary Nightmare”

Tarrant County Women’s Bar Association, May 5, 2000 – “Don’t get Squeezed by the Lemon Law”

Cunningham Lindsey Continuing Education Seminar, May 31, 2000 – “Practical and Legal aspects of Cooperation between Insurance Companies and Governmental Agencies while conducting Arson Investigation”

Texas Licensed Child Care Association, November 11, 2000 – “From Play Sand to Quick Sand- Legal Pitfalls in the Child Care Community”

San Antonio Claims Association, February 13, 2001- “Practical and Legal Aspects of Cooperation between Insurance Companies and Governmental Agencies while Conducting Arson Investigations”

Texas Licensed Child Care Association of Greater Fort Worth, Annual Round-up, February 9, 2002 - “From Play Sand to Quick Sand – Legal Pitfalls in the Child Care Community”

Coverage Magazine: American Bar Association Committee on Insurance Coverage Litigation – “Married But Still Innocent: The Innocent Spouse Doctrine and Property Insurance” – Co-authored with J. Daniel Perkins

ATAC Seminar, November 21, 2002 – “Qualifications of Expert Witnesses in Civil Cases: It Takes More Than a Ph.D.” “The Nuts and Bolts of Providing Effective Deposition Testimony: How not to be a Lug Nut during Depositions”

Dallas Chapter of International Association of Special Investigative Units, December 5, 2002 –“Recent Legislative Changes and Proposed New Legislation Relating to Investigation of Insurance Fraud”

University of Houston Law Foundation, February 20, 2003 and February 27, 2003-“Coverage Opinions: How to Approach Them, What to Include and How to Avoid Liability – Walking the High Wire”

Nationwide Seminar, May 15, 2003 – “Litigating Injury Cases that Result from Low Impact Vehicular Collisions”

Germania Farm Mutual Insurance Association Seminar, August 18, 2003 -“The Nuts and Bolts of Providing Effective Deposition Testimony: How not to be a Lug Nut during Depositions”

Tarrant County Bar Association Brown Bag Seminar, February 27, 2004 – “Is Bad Faith ‘Dead Faith?’ Extra contractual Damages in Insurance Litigation”

Germania Farm Mutual Insurance Association Seminar, August 20, 2004 -“Digital Photographs: Technical Dream/Evidentiary Nightmare”

Lorman Seminars, Recurring Questions in CGL Coverage, November 16, 2004 – “When Does An Occurrence Occur? Using the Right Trigger While Protecting One’s Foot”

TAARS Seminar, June 11, 2005 –“The Admissibility of Engine Control Module Data. The Black Box or the Blue Hole”

Texas Christian University Fraternity and Sorority Meeting, October 23, 2005 – “Hazing: It is more than what you think”

Dallas County Crime Commission Task Force – “Auto Theft and Insurance Fraud: A Marriage of Convenience”

North Texas IASIU, November 3, 2005 –“Recognizing Fraud in Homeowners Insurance Claims”

National Association of Insurance Women, January 10, 2006 -“Recognizing Fraud and Fighting it in the Courtroom” “Don’t get Squeezed by the Lemon Law”

Texas Association of Mutual Insurance Companies, February 14, 2006 –“How to Protect Your Right to Take an Examination under Oath”

Houston Claims Association Meeting, May 3, 2006- “Proper Elements of a Claim File How Not to Get Beat with Your Own Words”

International Symposium on Fire Investigation, June 26, 2006 -“Practical and Legal Aspects of Cooperation between Insurance Companies and Governmental Agencies While Conducting Fire Investigations”

Hochheim Prairie Insurance Company Claims Department Meeting, October 2, 2006 -
“Proper Elements of a Claim File”

Fort Worth Business Press, October 30, 2006 –“Mold not Gold in Texas, Recent
Supreme Court verdict finds some claims not covered”

Texas Independent Insurance Adjustors Association Fall Seminar, November 2, 2006-
“Digital Photography: Technical Dream/ Evidentiary Nightmare” “Fall 2006 Legal
Update”

Advanced Insurance and Tort Claims Seminar, June 21-22, 2007 June 28-29, 2007-
“Bad Faith Update- Are we keeping the Bad Faith”

Property Loss Research Bureau Regional Adjusters Conferences, June 12-13, 2007
Richmond, Virginia; September 18-19, 2007 Columbus, Ohio; October 30-31, 2007
Costa Mesa, California- “Who is an Insured with Homeowners Claims?”

SIU Today, Summer 2007- “Recognizing Fraud and Fighting it in the Courtroom”

Property Loss Research Bureau National Adjuster Conference, April 14-17, 2008,
Boston, MA- “Who is an Insured with Homeowners Claims?”

Property Loss Research Bureau Regional Adjusters Conferences, June 3-4, 2008
Tampa, Florida; September 9-10, 2008 Des Moines, Iowa; October 28-29, 2008
Sacramento, California- “Who is an Insured with Homeowners Claims?”

Fort Worth Business Professionals Meeting, October 10, 2008-“How to Find A Great
Lawyer”

Tarrant County Bar Association CLE Seminar, November 7, 2008 - “Some Cutting
Edge Issues In Consumer Law. How Not to Bleed to Death!”

NAMIC Claims Conference, February 4-6 - “Bad Faith Update- Are we keeping the
Bad Faith”

Houston Insurance Day Seminar, February 19, 2009 - "How Not To Let E&O Stand
for "Engulfed and Obliterated"

Independent Adjuster's Seminar CL: February 26, 2009 - "Recognizing Insurance
Fraud and Fighting In the Courtroom"- "Appropriate Roles for Independent Adjuster,
Independent Investigators, Attorneys and Claim Representatives in the Investigation
and Evaluation of Insurance Claims"

Property Loss Research Bureau's Claims Conference, March 22 - 25, 2009 - " Good
Agents Gone Bad: The Effect of Rogue Agents on the Insurance Company"

Advanced Insurance and Tort Claims Seminar, April 17-18, 2009 and April 23-24,
2009- “Bad Faith Update- Are we keeping the Bad Faith”

Independent Insurance Agents of Dallas Luncheon, Aril 22, 2009 - “Bad Faith
Update- Are we keeping the Bad Faith”

AFACT Meeting, May 29th, 2009 - “Bad Faith Update- Are we keeping the Bad Faith?”

Texas Independent Insurance Adjusters Association, June 4, 2009 -“United Front-The Fight Against Arson”

Property Loss Research Bureau’s 2009 Eastern Regional Adjusters Conference, June 24-25, 2009 – “Evaluating Jewelry, Fur and Fine Art Claims- Separating the Rocks from the Stones”

Advanced Insurance and Tort Claims Seminar, August 6-7, 2009 August 13-14, 2009
“Bad Faith Update- Are we keeping the Bad Faith”

Independent Insurance Agents of Tarrant County Annual Luncheon, August 11, 2009
“Recognizing Fraud and Fighting it in the Courtroom”

Midlands Claim Administrators, Inc. Marketing Meeting, August 20, 2009
“Bad Faith Update- Are we keeping the Bad Faith”

Nomad Adjusting Seminar, August 27, 2009 - “Bad Faith Update- Are we keeping the Bad Faith” –“Digital Photographs: Technical Dream/Evidentiary Nightmare”

Property Loss Research Bureau’s 2009 Central Regional Adjusters Conference, September 9-10, 2009 – “Evaluating Jewelry, Fur and Fine Art Claims- Separating the Rocks from the Stones”

Frontier General Seminar, September 17, 2009
“Recognizing Fraud and Fighting it in the Courtroom”

Liberty Mutual Seminar, September 18, 2009
“Bad Faith Update- Are we keeping the Bad Faith”

Keynote Speaker - Texas Independent Insurance Agents Conference, October 5, 2009
–“Post-Loss Liability of Agents/How Can It Happen and How to Avoid It”

Property Loss Research Bureau’s 2009 Western Regional Adjusters Conference, October 20-21, 2009 –“Evaluating Jewelry, Fur and Fine Art Claims- Separating the Rocks from the Stones”

Keynote Speaker - Houston Independent Insurance Agents Fall Luncheon, November 5, 2009 - “The Importance of Real Insurance Agents -Why People Are More Important Than Computers”

Texas Independent Insurance Agents Conference, October 5, 2009 –“Post-Loss Liability of Agents/How Can It Happen and How to Avoid It”

Property Loss Research Bureau’s 2009 Western Regional Adjusters Conference, October 20-21, 2009 –“Evaluating Jewelry, Fur and Fine Art Claims- Separating the Rocks from the Stones”

Wardlaw Annual Claims Conference, February 24, 2010 - "Bad Faith Update - Are We Keeping the Bad Faith?"

Effective Claims Management Seminar, March 1, 2010 - " Recognizing Insurance Fraud and Fighting It in the Courtroom"

North Texas Chapter of IASIU, March 3, 2010 - "Recognizing Insurance Fraud and Fighting It in the Courtroom"

Texas Association of Special Investigation Units, June 9, 2010 - "Recognizing Insurance Fraud and Fighting It in the Courtroom."

Federation of Insurance Women of Texas, Inc. 2010 Annual Convention, October 8, 2010 – "Proper Elements of a Claim File"

Texas Independent Insurance Adjusters Association Seminar, November 4, 2010 – "How Insurance Adjusters Can Help Their Attorneys Stay in Business: Top 10 Ways to Get Yourself Sued"

IAS Annual Catastrophic Claims Conference, February 22, 2011 - "Bad Faith Update---Are We Keeping the "Bad" Faith!"

NAIIA (National Association of Independent Insurance Adjusters)/TIIAA Annual Conference, March 4, 2011 - "I'm Caught in a Trap and I Can't Get Out"

PLRB/LIRB 2011 Claims Conference, April 3-6, 2011, Nashville, TN – "Conflict of Settlement"

2011 NetVU Conference, April 28-30, 2011, Orlando, FL – "Social Networking: Promise and Peril"

2011 AAIMCo Conference, May 12-15, 2011, New Orleans, LA – "The Nuts and Bolts of Providing Effective Deposition Testimony" and "Current Developments Relating to Expert Testimony"

76th TAMIC Convention & Seminar, October 4, 2011, Round Rock, Texas – "Bad Faith Update"

North Texas Crime Commission "Declaring War on Insurance Crime" training conference, October 12, 2011, Dallas, Texas – "United Front – The Fight Against Arson"

EDUCATION:

BAYLOR LAW SCHOOL

June, 1977 to February, 1980

Honors include:

Associate Editor of the Baylor Law Review
Practice Court Finalist
Full Academic Scholarship

TRINITY UNIVERSITY

September, 1974 to May, 1977

Honors include:

Academic Scholarship
Graduated Cum Laude