



901 Main Street
Suite 4000
Dallas, TX 75202
TEL: (214) 749-4258
FAX: (214) 760-8994
mupshaw@zellelaw.com

PRACTICE AREAS

- Bad Faith and Extra-Contractual Liability
- Breach of Contract
- Commercial Litigation
- Engineering and Construction
- Insurance
- Pandemic Claims and Litigation
- Professional Liability
- Property Insurance
- Reinsurance

BAR AND COURT ADMISSIONS

- State Court: Texas
- U.S. District Court: Northern, Southern, Eastern and Western Districts of Texas

EDUCATION

- The University of Texas School of Law, J.D., 2017
- Texas State University, B.B.A., Economics, 2006

Michael represents many of the world's largest insurance companies, focusing his practice on litigation in insurance coverage. He is particularly involved in coverage issues and litigation relating to the February 2021 Texas freeze event, commercial weather damage, and business interruption losses.

Michael has vast experience with all levels of litigation and dispute resolution, including written discovery, fact and expert depositions, motion practice, oral argument, appraisal, and mediation.

Michael frequently drafts coverage opinions related to complex commercial insurance claims across the United States, and has experience with litigated matters in Texas, Oklahoma, California, New Mexico, and Louisiana.

Michael joined Zelle in 2017 after clerking with the firm for two summers during law school.

REPRESENTATIVE MATTERS

Assisted in trial resulting in unanimous jury verdict on behalf of Landmark American Insurance Company, including cross-examination of expert witnesses and oral Directed Verdict argument. The case involved the application of an artificially generated electrical exclusion to arcing damage caused during Hurricane Patricia.

Successfully briefed and argued the application of forum-selection clauses in Texas and California state courts.

Successfully briefed, on multiple occasions, the applicability of Tex. Ins. Code Section 542A.006, which relates to an insurer's election of agent/adjuster liability, on the diversity of citizenship for federal jurisdiction.

Successfully briefed and argued, on multiple occasions, the preclusion of attorney's fees for failure to provide proper pre-suit notice pursuant to Tex. Ins. Code Section 542A.003.

ARTICLES & PRESENTATIONS

"Viewpoint: Non-Renewal, Cancellation, Reformation and Rescission of Insurance Policies in Texas," *The Zelle Lonestar Lowdown*, November 14,

2023, co-author

"Viewpoint: Non-renewal, Cancellation, Reformation and Rescission of Insurance Policies in Texas," *Claims Journal*, November 6, 2023, co-author

"5th Circ. Insurance Case May Encourage Post-Appraisal Suits," *Insurance Law360*, September 30, 2020, author

"Texas Case Shows Clarity is Key in the Appraisal Process," *Texas Law360*, July 5, 2018, co-author

"Rain, Rain, Go Away . . ." *Texas Law360*, September 27, 2017, co-author

PROFESSIONAL AFFILIATIONS

Dallas Bar Association

American Bar Association

COMMUNITY SERVICE

While in law school, Michael acted as Vice President of Texas Law Fellowships, a student-run 501(c)(3) that funds fellow students working public interest jobs during the summer.

NOTEWORTHY

Selected for inclusion in Best Lawyers: Ones to Watch, 2024.

Prior to attending UT Law, Michael and his wife enjoyed many years abroad, working as a tour operator in Paris, France and Barcelona, Spain, as well as a middle school English teacher in Seoul, South Korea. Michael and his wife are now settled in Dallas and have two beautiful daughters.