

PETER M. KELLY

JUSTICE, FIRST DISTRICT COURT OF APPEALS OF TEXAS

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Education

The University of Texas School of Law, J.D. 1990: Scholarly Publications Editor,
Texas International Law Journal.

Harvard College of Harvard University, A.B. *cum laude* 1985: Departmental Honors in
History.

Professional Activities, Memberships, and Admissions

Board Certified, Civil Appellate Law–Texas Board of Legal Specialization.

Texas Supreme Court Advisory Committee, Member 2011- .

Texas Trial Lawyers Association: Chair, Amicus Committee, and Member, Executive
Committee, and Member, Board of Directors, 2003-2018.

Houston Trial Lawyers Association: President, 2013-14.

Texas Monthly™ Super Lawyer, 2009-2018; Top 100 Lawyers in Houston Region, 2015.

American Law Institute, 2020- ; Texas Supreme Court Historical Society: Trustee 2011-
2017; American Bar Foundation: Fellow; Texas Bar Foundation: Life Fellow; State
Bar of Texas Appellate Section: Co-Author, Court of Appeals Appellate Procedure
Update, *Appellate Advocate* (published quarterly by the Appellate Practice Section of
the State Bar of Texas), Fall 1999-2004; Houston Bar Association: Member,
Appellate Practice Section (Council Member, 2003-2006), Administration of Justice
Committee, Judicial Polls Committee; Member of Bar Association of the Fifth
Federal Circuit; University of Texas School of Law Dean's Roundtable.

Texas Applesseed: Director, 2015-

Admitted to practice in the States of New York and Texas, the Southern, Northern,
Eastern, and Western U.S. Districts of Texas, the Southern District of New York,
the Second and Fifth Federal Circuits, and the United States Supreme Court.

Papers and Publications

Respondeat Superior and Vicarious Liability: Responsibility for the Acts of Others, Texas Trial Lawyers Association Advanced CLE (February 2018)

Select Aids to Statutory Interpretation, Advanced Civil Appellate CLE, State Bar of Texas, (September 2016)

The Court's Charge from the Plaintiff's Perspective, The Advocate (State Bar Litigation Section Report-Vol. 76, Fall 2016)

Column Ignores Structure of Texas Common Law, Texas Lawyer, June 1, 2015

Exemplary Damages, State Bar of Texas CLE, Advanced Personal Injury Law Course 2014, Dallas, San Antonio, and Houston (July-August, 2014)

Minority Report: Appellate Pre-Update, State Bar of Texas, Advanced Medical Torts Course, Santa Fe, New Mexico (March 13-14, 2014)

Evidence and Case Law Update, State Bar College Summer School, State Bar of Texas CLE (July 1, 2012)

Escabedo Decision: Navigating the Recovery of Medical Damages in a Personal Injury Lawsuit, Soaking Up Some CLE, State Bar of Texas CLE (May 17-18, 2012)

Escabedo Decision: Navigating the Recovery of Medical Damages in a Personal Injury Lawsuit, Advanced Evidence and Discovery, State Bar of Texas CLE (April 26-27, 2012)

The Escabedo Decision, Damages in Civil Litigation, State Bar of Texas CLE (February 1, 2012)

Paid or Incurred After Escabedo, co-author Andy Payne, Texas Trial Lawyers Association, Advanced Personal Injury Seminar, Houston, Texas (December 1, 2011)

Legislative Update, Business Torts Institute, State Bar of Texas CLE (October 1, 2011)

Escabedo Rapid Response, Texas Trial Lawyers Association Webinar (July 1, 2011)

Proving Up Medicals in the Post-Escabedo World, Houston Trial Lawyers Association CLE (July 1, 2011)

Preservation of Error, Advanced Civil Trial Law Seminar, Corpus Christi Bar Association (April 1, 2011)

Ten Things Every Trial Lawyer Should Know About Appeals, Houston Trial Lawyers Association Luncheon (October 1, 2010)

Texas Summary Judgment Practice, Advanced Personal Injury Law Course, State Bar of Texas CLE (Summer 2009)

Amicus Practice in Texas, San Antonio Bar Association Appellate Practice Section Luncheon (November 1, 2008)

Amicus Briefs from the Judicial and Practical Perspectives, Advanced Civil Appellate Course, State Bar of Texas CLE (September 1, 2008)

Substantial Foreclosure in Antitrust: Can It Ever Be Proved in Texas?, South Texas College of Law Review, vol. 49, No. 3, (Spring 2008)

Supreme Court Update, Advanced Evidence and Discovery Course, State Bar of Texas CLE (April 1, 2008)

Chapter 74 Expert Reports, Advanced Medical Malpractice Course, State Bar of Texas CLE (March 1, 2008)

Paid or Incurred Damages Issues, Personal Injury/Automobile Injury Conference, South Texas College of Law (August 1, 2007)

Preparing the Jury Charge, Advanced Personal Injury Course, Texas Trial Lawyers Association CLE (May 1, 2007)

30 Winning Appeals, Advanced Civil Appellate Practice Course, State Bar of Texas CLE (September 1, 2006)

Preparing the Jury Charge, Advanced Personal Injury Course, Texas Trial Lawyers Association CLE (May 1, 2006)

Preserving Error in the Court's Charge, Maximizing Your Case Recovery, Texas Trial Lawyers Association CLE (April 1, 2006)

Etie, OCIPs, and Preserving Third Party Liability, Houston Trial Lawyers Association (July 1, 2005)

Court of Appeals Appellate Procedure Update, Appellate Advocate, published quarterly by the Appellate Practice Section of the State Bar of Texas (Fall 1999-2004)

Case Law Update, South Texas College of Law Personal Injury Conference (March 1, 2004)

The End of Meaningful Supersedeas: HB 4 and Postjudgment Practice, Navigating
HB 4: A Brave New World, Texas Trial Lawyers Association CLE (December 1,
2003)

Vicarious Liability of Securities Firms for Employee Misconduct in Texas: *Millan v. Dean Witter Reynolds*, Houston Bar Association Securities Litigation Section
(August 1, 2003)

Ten Things Every Lawyer Should Know About Appeals, Houston Trial Lawyers
Association (May 1, 2003)

Preservation of Error (State) Pre-Trial and Trial, Hidalgo County Bar Association
Advanced Civil Trial Seminar (November 1, 2002)

Ten Things Every Lawyer Should Know About Appeals, Hidalgo County Bar
Association Monthly Meeting (October 1, 2002)

Preservation of Error (State) Pre-Trial and Trial, Nuts & Bolts of Appellate Practice,
State Bar of Texas Advanced Civil Appellate Practice Course (September 1, 2001)