Nicholas Bruno

Partner Houston

Direct: 713.951.6232 Fax: 713.951.3720
Email: nbruno@beckredden.com



Nicholas Bruno is a board-certified appellate specialist who helps corporate clients and trial lawyers with strategy, legal briefing, and oral argument in both the trial and appellate courts with an eye toward obtaining a favorable result that can withstand appellate scrutiny.

As lead appellate counsel, he practices in all levels of the Texas appellate system. Through this experience, combined with his experience clerking for Justice Harvey Brown of the First Court of Appeals of Texas, he understands the importance of providing the court with clear, concise, and well-researched arguments. His ability to construct a plan of action from the outset coupled with his talent for articulating legal positions with clarity and precision make the difference for his clients.

Nicholas has successfully represented clients in a wide range of litigation, including catastrophic personal injury cases, complex discovery mandamus proceedings, and various health care and commercial litigation matters. In addition, he remains active in the bar, including, among other activities, serving as a member of the Houston Bar Association's Appellate Section Committee and regularly contributing to the HBA *Appellate Lawyer*.

His familiarity with the Texas appellate system began in law school. During law school, Nicholas gained appellate experience serving as an intern for Texas Supreme Court Justice Jeff Boyd and as an intern in the appellate division of the Travis County Attorney's Office. He was also a member of the University of Texas School of Law's Supreme Court Clinic, in which time he helped research and draft briefs and petitions for writ of certiorari in the U.S. Supreme Court.

REPRESENTATIVE EXPERIENCE

Supreme Courts & Federal Courts of Appeals

- 24-0853, 24-0854, 24-0742, 24-0351; *In re Taylor Moss*; in the Supreme Court of Texas and Nos. 14-24-00732-CV, 14-24-00733-CV, 14-24-00635-CV; *In re Taylor Moss*; in the Fourteenth Court of Appeals, Houston, Texas; successfully opposed mandamus and habeas corpus relief in the Texas Supreme Court and court of appeals with relation to efforts to stay post-judgment proceedings.
- 2023-CQ-01596; *Angela Pickard, et al. v. Amazon.com, et al.*; in the Supreme Court of Louisiana; Beck Redden LLP served as lead appellate counsel for Plaintiffs in a case in which the Louisiana Supreme Court held that Amazon is a seller under the Louisiana Products Liability Act and that Amazon may be liable for injuries if, subject to standards established by standard undertaking law, Amazon assumed a duty to identify and remove unreasonably dangerous products from its marketplace.
- 23-3265; *Smith v. Atlantic City*; in the United States Third Circuit Court of Appeals: filed amicus brief in the Third Circuit on behalf of a various organizations interested in religious liberty.
- 24-1261; *Cambridge Christian School, Inc. v. Florida High School Athletic Association, Inc.*; in the United States Supreme Court; filed an amicus brief on behalf of Christian school organizations in a case involving the protections of free

PRACTICES

Appellate

Catastrophic Personal Injury & Wrongful Death Litigation

Class Action & Multi-District Litigation

Healthcare Litigation

Insurance Coverage Litigation

Products Liability Litigation

Professional Liability Defense

ADMISSIONS

State Bar of Texas

United States Court of Appeals for the Fifth Circuit

United States District Court for the Southern District of Texas

CLERKSHIPS

Honorable Harvey Brown, First Court of Appeals of Texas (2015-2016)

EDUCATION

J.D., The University of Texas School of Law (graduated with honors), 2015

- *Texas Law Review*, Chief Online Content Editor (2014-15)
- Texas Federalist Society, Executive Vice President (2014-15)
- *Texas Review of Law & Politics*, Staff Editor (2013)
- University of Texas

exercise of religion and free speech rights of students to engage in prayer.

- No. 20-0066; *Haynes and Boone LLP et al. v. NFTD LLC et al.*; in the Supreme Court of Texas: Represented an attorney in case involving attorney immunity's application to transactional law practice.
- No. 19-0872; *Miguel A Gomez, III v Memorial Hermann Health System*, in the Supreme Court of Texas: Represented a hospital in a case involving jury charge, expert, and other legal issues related to a defamation claim.
- No. 21-0936; *ExxonMobil Corporation v. National Union Fire Insurance Company of Pittsburgh, PA, and Starr Indemnity & Liability Insurance Company*; in the Supreme Court of Texas: Successfully obtained a reversal of a court of appeals' opinion related to insurance coverage.
- No. 21-0644; *In re Schindler*; in the Supreme Court of Texas; Successfully opposed mandamus relief at both the Texas Supreme Court and court of appeals regarding an alleged final judgment.
- No. 19-20039; *Younas Chaudhary and Bushra Chaudhary v. Chubb & Son, Inc., et al.*; In the United States Fifth Circuit Court of Appeals: Represent plaintiffs in a case involving whether federal law preempted state liability claims against an insurance agent related to representations regarding private excess flood insurance coverage. The Fifth Circuit reversed the district court's judgment dismissing the claims brought by our client and remanded for further proceedings.
- No. 24-427; in the United States Supreme Court and No. 22-15485; *Ronald Hittle v. City of Stockton*, In the United States Ninth Circuit Court of Appeals: represented several organizations who argued that Title VII protections are important not only to the employee in this case, but also for members of minority religions.
- Participated in briefing in several other Fifth Circuit and Texas Supreme Court matters, including briefing at the petition for review stage and the briefing on the merits stage.
- 24-0798; *In re David Michael Lance Cooke*; in the Supreme Court of Texas; Texas Supreme Court abated/remanded a mandamus proceeding and obtained a favorable ruling in the trial court overturning the grant of a new trial in a family law matter.

Texas Courts of Appeals

- 14-24-00266-CV (2025 WL 1225850); *Moss v. Holzworth*; in the Fourteenth Court of Appeals, Houston, Texas: Affirmed final judgment enforcing Rule 11 settlement agreement in probate trust dispute involving jury findings of fraud, management of family trusts, and undue influence. Also affirmed denial of a TCPA motion in a post-judgment context.
- 14-24-00266-CV (2024 WL 5116975, at *1); *Moss v. Holzworth*; in the Fourteenth Court of Appeals, Houston, Texas: Affirmed the trial court's ruling setting a supersedeas bond of $9,748,892 after striking the trustee's negative net worth affidavit as unreliable and enjoining asset dissipation pending appeal.
- 09-23-00044-CV; *Interest of S.C.T.*; in the Ninth Court of Appeals, Beaumont, Texas: Affirmed the trial court's order modifying parent-child relationship.
- 14-23-00295-CV; *Sidetrade, Inc. v. HighRadius Corporation*; in the Fourteenth Court of Appeals of Texas; Represented a Texas Citizen's Participation Act non-movant and prevailed at the Fourteenth Court of Appeals that the case did not fall under the TCPA.

School of Law's Supreme Court Clinic (2014)

B.A., Thomas Edison State University, Economics and Political Science, 2012

- 14-23-00425-CV; *BRCC Enterprises LLC v. Jesse Skie*; in the Fourteenth Court of Appeals of Texas; Obtained reversal of judgment rendered after jury verdict because the oral contract, predicated upon a healthy harvest of 1,400 pounds of dry cannabis crop was held to be void for illegality.
- 14-24-00218-CV, *In re C-Automation*, in the Fourteenth Court of Appeals of Texas; Obtained mandamus relief from an order compelling discovery of the client's trade secrets.
- 01-24-00397-CV, *In re Houston Pipe Line Co., et al*, in the First Court of Appeals of Texas; successfully opposed mandamus relief, after a request for a response to a petition for writ of mandamus that sought to compel discovery that the relators claimed was relevant in breach of contract claim in oil and gas dispute.
- 09-21-00223-CV, *In re Jamison*; in the Ninth Court of Appeals, Beaumont, Texas: Successfully obtained reversal of five-figure pre-trial discovery sanctions against attorney and show cause order directed to attorney.
- No. 01-20-00076-CV, *Triple P.G. Sand Development LLC et al v. Eduardo Del Pino et al*; in the First Court of Appeals, Houston, Texas: Represented parties in a permissive appeal from an MDL order that was affirmed on the basis of statutory tolling under Texas Civil Practice and Remedies Code section 16.064.
- No. 01-20-00314-CV; *Austin Housing Finance Corp. v. Friends of Brykerwoods LLC et al*; in the First Court of Appeals, Houston, Texas: represented a group of property owners in defending a temporary injunction on appeal.
- No. 12-19-00412-CV; *In re UPS Ground Freight, Inc.*; in the Twelfth Court of Appeals, Tyler, Texas: Represented a party seeking mandamus relief from a discovery order granting discovery of confidential driver's records. The Tyler Court of Appeals granted mandamus relief.
- No. 13-19-00492-CV; *Mary H. Robledo v. Jose Luis Villarreal and Evelyn Ramos*; in the Thirteenth Court of Appeals, Corpus Christi, Texas: Served as lead appellate counsel in successfully obtaining the reversal of a default judgment against our client.
- No. 01-19-00894-CV; *In re Freeport-McMoRan Oil & Gas LLC, and McMoRan Oil & Gas, LLC*; in the First Court of Appeals, Houston, Texas: After the court of appeals requested briefing, we successfully opposed mandamus relief in a proceeding involving discovery of documents between a third party (whose opinions Relators' experts reviewed) and the Relators' attorneys.
- No. 01-18-00984-CV; *Belmont Village Hunters Creek TRS, LLC, et al. v. William Marshall, et al.*; in the First Court of Appeals, Houston, Texas: Represent a plaintiff who was sexually assaulted at an assisted living facility in an appeal involving whether her claims against the assisted living facility are health care liability claims as defined under Chapter 74 of the Texas Civil Practice and Remedies Code.
- No. 01-19-00567-CV; *In re Preston Marshall and Rusk Capital Management, L.L.C.*; in the First Court of Appeals, Houston, Texas: After the court of appeals requested briefing, we successfully opposed mandamus relief in a proceeding involving whether the trial court correctly found that a jury waiver applied to that proceeding.
- No. 14-17-00818-CV; *Lilian Garrick v. Autoliv ASP, Inc., Autoliv Safety Technology, Inc., Kia Motors America, Inc., and Kia Motors Corp.*; in the Fourteenth Court of Appeals, Houston, Texas: Successfully obtained affirmance of summary judgment in favor of our client after aiding in drafting the briefing and presenting oral argument.
- No. 14-16-00537-CV; *Garden Oaks Maintenance Organization v. Peter S. Chang and Katherine M. Chang*; In the Fourteenth Court of Appeals, Houston, Texas: Obtained partial reversal of judgment against our client after aiding in drafting

the briefing and presenting oral argument.

Other Courts

- Participated in briefing and hearings at Texas state trial courts on a wide array of issues, including summary judgment motions, TCPA motions to dismiss, and motions to exclude expert testimony.
- Participated in briefing cases across the country, including in various federal courts, the North Dakota Supreme Court, and the Ninth Circuit.

HONORS & AWARDS

- Named in Lawdragon 500 X – The Next Generation in Appellate, 2024-2026
- Named in *The Best Lawyers in America: Ones to Watch*® in Appellate Practice (2023 – 2027) and Commercial Litigation (2024-2027)
- Recognized as a "Rising Star" in Thomson Reuters' *Texas Super Lawyers* – Appellate, 2022-2026; Civil Litigation: Defense, 2025-2026; Personal Injury – General: Plaintiff, 2025-2026; Professional Liability: Defense, 2025-2026
- *Houstonia* Top Lawyer: Appellate Law, 2021, 2022
- Co-Outstanding Editor of the Year, Texas Law Review, 2015
- Dean's Achievement Award – Criminal Law, 2013
- Texas Bar Foundation, Fellow
- Houston Bar Foundation, Fellow

PUBLICATIONS & PRESENTATIONS

- "Permissive Appeals: Why Do Appellate Courts Deny Permission to Appeal After the Trial Court Grants Such Permission?" *The Appellate Advocate*, Vol 23 (Spring 2025)
- *Oral Argument Statistics in the Houston Courts of Appeals*, HBA Appellate Lawyer (April 2024)
- Panelist, "Business Courts: What Appellate Practitioners Should Know," HBA Appellate Practice Section CLE (October 2023)
- Co-author, "4 Things Companies Must Know About Texas' New Business Courts," *Law360* (July 2023)
- Evidence & Discovery Law Update, 39th Annual Litigation Update Institute (Co-Author with Alistair Dawson; December 2022)
- *Appellate Considerations in a Contested Special Master Appointment*, HBA Appellate Lawyer, (October 2022)
- *Permissive Interlocutory Appeals Under Texas Law*, HBA Appellate Lawyers, (July 2022)
- Mandamus: A Look Behind the Curtain & the Adequate Remedy Prong (Co-Author with David Gunn; June 16-17, 2022)
- *Statutory Interpretation Principles in Recent Houston Courts of Appeals Decisions*; HBA Appellate Lawyer (Jul 29, 2021)
- *Procedural Considerations for En Banc Consideration in First Instance*, HBA Appellate Lawyer, (April 2022)
- *Special Judges under Government Code Sections 24.004*, HBA Appellate Lawyer, (January 2022)

- *Transfers Between the Texas Courts of Appeals*, HBA Appellate Lawyer, (October 2021)
- *En Banc Decisions and Preservation Issues in Recent Fourteenth Court of Appeals Decisions*; HBA Appellate Lawyer (Mar 2, 2020).
- *Part II: Is there more diversity of thought after the 2018 midterm elections? A look at decisions regarding en banc motions in the First and Fourteenth Courts of Appeals*, HBA Appellate Lawyer, (December 2019)
- *Is there more diversity of thought after the 2018 midterm elections? A look at dissenting opinions in the First and Fourteenth Court of Appeals during the first half of 2019*; HBA Appellate Lawyer (Aug. 19, 2019).
- *Oral Argument: Present to Help the Court*; HBA Appellate Lawyer (Jul 24, 2018).
- Note, *Alliance for Open Society International v. United States Agency for International Development:* An Alternative Approach to Aid in Analyzing Free Speech Concerns Raised by Government Funding Requirements, 93 Tex. L. Rev. 1569 (2015).

PROFESSIONAL ACTIVITIES & MEMBERSHIPS

- Houston Bar Association Appellate Practice Section, Chair (2025-2026); Chair-Elect (2024-2025); Council Member (2020-Present); Treasurer (2023); Secretary (2023-2024)
- Houston University of Texas Law School Young Alumni Steering Committee (President, 2016-2019; Member 2019-Present)
- St. Thomas More Society (President 2019-2020; Vice President 2018-2019; Immediate Past President 2020-2021; Secretary 2021-Present)
- Christian Legal Society of Houston Board Member (2022-Present)
- Fellow, Texas Bar Foundation
- Columnist, Houston Bar Association *Appellate Lawyer*
- Garland R. Walker Inn of Court
- Federalist Society
- Christian Legal Society

