



HON. STEPHEN J. MOSS

Chief Judge and Court Administrator, U.S. Court of Indian Offenses and U.S. Court of Indian Appeals, Anadarko Area (Southern Plains Region) (Ret.)

The Honorable Stephen J. Moss held an active federal Judge appointment with the U.S. Court of Indian Appeals and U.S. Court of Indian Offenses presiding over all civil, criminal, and administrative trial and appellate cases as Chief Judge and Court Administrator for the U.S. Southern Plains Region of Texas, Oklahoma, and Kansas. Judge Moss began his work in alternative dispute resolution in 2005 and has vast experience as an arbitrator and mediator. He has handled a wide range of cases including employment, insurance, construction, and contract

matters.

While on the bench, Judge Moss handled case referrals from Indian Country throughout the United States, having primary jurisdiction over 56.2 million acres, American Indians estimated at about five (5) million, plus non-Indians and businesses located or present in Indian Country. Judge Moss was first chair of civil and administrative litigation and transactional matters, including business law, civil rights, commercial transactions, construction, contracts, discrimination, employment, family law, Indian matters, insurance defense and coverage, labor, landlord/tenant, license regulation, malpractice, oil and gas, personal injury, probate, property, real estate, schools, sexual harassment, sovereignty, tax law, torts, and utilities.

While on the bench, Judge Moss also presided over multiple contested cases, trials, hearings, motions, pleadings, discovery, research, negotiations, mediations, arbitrations, settlements, trial and appellate briefs, counseling, interviewing, and client development. He has served as the Chairman of the Austin Bar Attorney Fee Dispute Committee from 2006 to present. Judge Moss is also a member of the Texas Bar Grievance Committee, District 9 and is the recipient of many prestigious awards, including the American Jurisprudence Awards for Appellate Advocacy and Complex Litigation and the C.J.S. Award for Greatest Contribution to Legal Scholarship. Judge Moss is also a Hatton W. Sumners Scholar, a Naifeh Judicial Fellow, and a Merit Scholar.

Judge Moss is available to arbitrate and mediate cases throughout Colorado, District of Columbia, Oklahoma, and Texas.

AREAS of EXPERIENCE

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| ■ Appellate Practice | - Executive Severance Contracts | ■ Insurance |
| ■ Attorney Malpractice/Legal Ethics | - Fair Labor Standards | ■ Negligence/Torts |
| ■ Business/Corporate/Partnership | - Family & Medical Leave Act | ■ Natural Resources/Oil & Gas |
| ■ Construction | - Harassment | ■ Personal Injury |
| ■ Consumer Law | - Labor Law/Labor Relations | - Premises Liability |
| ■ Education Law/Title IX | - Negligent Hiring | ■ Public Law |
| ■ Employment Law | - Personnel Policies | ■ Real Property/Land Law/Leasing |
| - Affirmative Action | - Prevailing Wage Litigation | ■ Taxation |
| - Age Discrimination | - Retaliatory Discharge | ■ Trade Secrets |
| - Employee Discipline | - Sexual Harassment | |
| - Employment Civil Rights | - Title VII Discrimination | |
| - Employment Contracts | - Wage & Hour Law | |
| - Employment Discrimination | - Whistleblower Litigation | |
| - Equal Opportunity Employment Law | - Workplace Violence | |
| - Executive Employment Law | - Wrongful Termination | |

REPRESENTATIVE MATTERS

- Mission Consolidated Ind. School Dist. v. Garcia, 253 S.W.3d 653 (Tex. 2008) (Immunities and Texas Tort Claims Act)
- Ewing Ins. Servs., Inc. v. RLB Texas Auto Cntr., LLC, No. 03-18-00117-CV (Tex. App. - Austin 2018, no pet.)
- Ewing Ins. Servs., Inc. v. Texas Independent Automobile Dealers Association, No. 06-18-00090-CV (Tex. App. - Texarkana 2019, no pet.)
- Texas Dept. Public Safety v. Kedward and RK Servs., Inspector/Station, Docket No. 405-17-0873, MVI (Sept 12, 2017; Mar. 6, 2017) (dismissed; late responses to requests for disclosure; all evidence barred);
- MIC Construction Services, Inc. v. Austin Indep. School Dist., Level III Grievance (unanimous Board decision for Administration; \$560,000.00 roofing contract award contest) (Oct. 2006)
- Mason Indep. School Dist. v. J&W Services, et al., Cause No. 994517, In the 198th Judicial District Court, Mason County, Texas (construction defects, leaking roofs, mold)
- Braselton Construction Co. v. Tuloso-Midway Indep. School Dist., Cause No. 98-4597-A, In the 28th Judicial District Court, Nueces County, Texas (Construction Bid, Bid Bond, Declaratory relief, injunction)
- Savoy Indep. School Dist. v. Horner, Docket No. 062-LH-300 (principal termination; multiple student sex allegations)
- Sinton Indep. School Dist. v. Skoruppa, Docket No. 133-LH-699 (teacher termination)
- Westbrook v. Water Valley Indep. School Dist., Cause No. B-03-0361-C, In the 119th Judicial District Court, Tom Green County, Texas (age and sex discrimination, case dismissed on summary judgment), appealed, _S.W.3d_, Case No. 03-04-00449-CV (Tex. App. - Austin, 2006, pet. denied)
- Virginia Davis v. Education Service Center Region 8 and Scott Ferguson, Cause No. 28359, In the 76th Judicial District Court, Titus County, Texas (sexual harassment, disability discrimination, retaliation), summary judgment against Davis upheld on appeal, 62 S.W.3d 890 (Tex. App. - Texarkana, 2001, no pet.)

- Beckville Indep. School Dist. v. Texas Educ. Agency, Docket No. 071-R4-1298 (equalized wealth, Chap. 41, estoppel, constitution violations)
- Tuloso-Midway Indep. School Dist. v. Moses, Cause No. 97-02159, In the 250th Judicial District Court, Travis County, Texas, sub nom, Docket No. 094-R4-396 (equalized wealth, Chap. 41, estoppel, constitution violations)
- Conroy v. Carthage Indep. School Dist., et al., Case No. 9:98 CV 75, In the U.S. Dist. Ct., Eastern Dist., Lufkin Div., Texas (whistleblower, wrongful termination, tortious contract interference)
- Caldwell Indep. School Dist. v. Schafer, Docket No. 176-R1-699, Before the Commissioner of Education, State of Texas (1999) (non-renewal and ADA discrimination)
- Thacker v. Lingleville Indep. School Dist., Docket No. 086-R2-498, Before the Commissioner of Education, State of Texas (1998) (non-renewal)
- McNaughten v. Sonora Indep. School Dist., Docket No. 094-R2-197, Before the Commissioner of Education, State of Texas (1997)(principal termination)
- Misty Spidel v. Beeville Indep. School Dist., Cause No. B-95-1175-CVC, In the 343rd Judicial District Court, Bee County, Texas (1995) (student expulsion, injunction, 14th Amendment, 4th Amendment)
- Bennie Ussery v. Shallowater Indep. School Dist., TWCCRD Complaint No. 1A60191-S (Discrimination based on age and disability; dismissed 2-26-07)
- SBEC v. Robert Aguilar, Docket No. 701-07-0539.EC (dismissed 1-22-07)
- Texas Dept. of Ins. v. Pecos Abstract Co./Dean, Docket No. 454-94-636.c (TEX. INS. CODE and Rules violations; title plant; fraud 1994)
- Texas Dept. of Ins. v. Myers, Docket No. 454-94-933.c (TEX. INS. CODE and Rules violations; surplus lines 1994)
- Texas Dept. of Ins. v. Moses, Docket No. 454-94-086 (TEX. INS. CODE and Rules violations; misrepresentations; application 1994)
- Texas Dept. of Ins. v. Bishop, Docket No. 454-93-331 (TEX. INS. CODE and Rules violations; surplus lines 1993)
- Texas Dept of Ins. v. Hickson a/k/a/ Ellis, Docket No. 454-93-571 (TEX. INS. CODE and Rules violations; surplus lines 1993)
- Texas Dept. of Ins. v. Old Colony Life Ins. Co., Order No. 93-0466 (TEX. INS. CODE and Rules violations; Cease & Desist 1993)
- Texas-New Mexico Power Co. v. Texas Industrial Energy Consumers, 806 S.W.2d 230 (Tex. 1991) (certificate of convenience and necessity, utility rates, final appealable administrative order)
- Snake v. Ponca Tribal Election Board, Case No. CIV-87-P21, In the U.S. Court of Indian Offenses (Apr. 1988), affd and remanded in part, Ponca Tribal Election Board v. Snake, Cause No. CIV-88-P05P (Nov. 1988), In the U.S. Court of Indian Appeals, 17 ILR 6085 (1990)
- Donaghey v. The Housing Authority of the Caddo Tribe of Oklahoma, Case No. CIV-87-A33, In the U.S. Court of Indian Appeals (Feb. 1988)
- The Kiowa Election Board v. Lujan, Case No. CIV-86-A02P, Trial Court Case No. CIV- 86-A56, In the U.S. Court of Indian Appeals (Jan. 1987)
- (Attorney General Opinions) In re Matthews, Atty. Gen. Op. OR2015-01512, School of Excellence in Education (Tex. Jan. 2015) (Public Information Act request)
- In re Insurance Company Complaint Files, Atty. Gen. Op. OR95-1092, Texas Department of Insurance (Tex. Oct. 1995) (Open Records Act request)
- (Administrative Rules) 28 T.A.C. §§ 1.82 - 1.86, Texas Department of Insurance Discovery Rules, 18 Tex. Reg. 801-802 (1993) (promulgation of contested case discovery rules)
- 28 T.A.C. §§ 1.87 and 1.88, Texas Department of Insurance Appearance and Briefing Rules, 18 Tex. Reg. 3395 (1993) (promulgation of contested case appearance and briefing rules)

LECTURES and PUBLICATIONS

- Author, *Opinion Work Product and Complex Litigation: A New Exception or Rule of Convenience*, 15 Oklahoma City University Law Review 291, 1990
- Author, *Pennzoil: A Merger of Federal Abstention*, 13 Oklahoma City University Law Review 607, 1988

HONORS and AWARDS

- American Jurisprudence Awards for Appellate Advocacy, 1988; Complex Litigation, 1989
- C.J.S. Award for Greatest Contribution to Legal Scholarship, 1988
- Hatton W. Sumners Scholar
- Naifeh Judicial Fellow
- Merit Scholar

JUDICIAL EXPERIENCE

- Chief Judge, trial and appellate, and Court Administrator of five circuit courts, civil, criminal, administrative, and appellate cases, United States, Southern Plains Region (TEX, OK, KS), 1986 - 1988

LEGAL EXPERIENCE

- Attorney, Stephen Jon Moss, 2005 - Present
- Shareholder, Schwartz & Eichelbaum, P.C., 2002 - 2005
- Associate, Saegert, Angenend & Augustine, P.C., 2000 - 2001
- Associate, Henslee, Fowler, Hepworth & Schwartz, 1995 - 2000
- Enforcement, Texas Department of Insurance, 1992 - 1995
- Associate, Johnson & Gibbs, P.C., 1990 - 1992
- Licensed Legal Intern, Ames & Ashabranner, 1988 - 1989

PROFESSIONAL LICENSES and ADMISSIONS

- Texas State Bar, 1990
- Oklahoma State Bar, 1990
- District of Columbia, 1991
- Colorado State Bar, 1993
- United States Court of Appeals for the Fifth Circuit, 1995
- United States Court of Military Appeals, 1992
- United States Court of Indian Appeals, 1987
- United States District Court for the Northern District of Texas
- United States District Court for the Southern District of Texas
- United States District Court for the Eastern District of Texas
- United States District Court for the Western District of Texas
- United States Tax Court, 2006
- Certified Mediator, 2005

PROFESSIONAL AFFILIATIONS and ASSOCIATIONS

- Member, Austin Bar Association
 - Chairman, Fee Dispute Committee, 2006 - 2022
- Member, Oklahoma Bar Association
- Member, Colorado Bar Association
- Member, State Bar of Texas
- Member, Oklahoma Indian Bar Association
- Member, Bar of the District of Columbia Court of Appeals
- Fellow, College of the State Bar of Texas, 1992 - 2022
- Texas Bar Grievance Committee, District 9

EDUCATION

- Oklahoma City University School of Law, J.D., 1989
- University of Science and Arts of Oklahoma, B.S., 1987