

Scott M. Noel
Shareholder

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Scott's practice focuses primarily on commercial and real estate litigation, and defense of legal and medical professionals. Additionally, Scott has extensive experience representing a broad spectrum of industries, including service, medical, legal, and manufacturing, and has defended various types of litigation in state and federal courts, such as medical malpractice, legal malpractice, professional malpractice, tortious interference with business relations, defamation, business disparagement, breach of contract, intentional infliction of emotional distress, fraud, in addition to the practice of estate planning and estate administration and its related probate litigation.

Scott prides himself on finding efficient and effective solutions to meet his clients' needs. Some examples of successful representation include the following cases:

In 2021, client awarded death penalty sanctions in a defamation case against former employer, being awarded a default judgment after all defensive pleadings were struck.

In 2020, successfully defended medical practice from having to produce 15,000 medical records for investigation into past billing practices.

In 2020, successfully resolved multi-year surety litigation in defense of indemnitors under general indemnification agreement.

In 2019, settled contentious probate litigation case (seeking to set aside Last Will & Testament based on lack of testamentary capacity) while jury was deliberating in which family preserved ownership interests in family agricultural land.

In 2018, successful defense of medical professional from complaint before Texas Medical Board.

In 2018, awarded summary judgment in premises liability case defending contractor client.

In 2016, awarded summary judgment in Professional Malpractice case in which attorney was sued by opposing party in

In 2014, defended a frac sand company against its Board of Directors in a corporate dispute with the majority shareholder. In defending the company, he sought a summary judgment for \$60,000,000 from the Board of Directors for conversion of the company's assets. The case was successfully settled prior to the hearing.

In 2013, successfully defended a mental health facility in a lawsuit filed by an employee in a non-subscriber negligence case and achieved dismissal of the lawsuit against the health care provider client with prejudice. In this case, the employee was seeking damages in excess of \$1,000,000.

In the court's order dismissing the case with prejudice, the court also awarded partial recovery of the health care provider's attorney's fees and costs.

In January 2013, Scott successfully defended a health care provider against a claim filed by an employee in a non-subscriber negligence case. The employee dismissed the lawsuit against her employer without being awarded any compensation.

In December 2012, he successfully obtained a temporary injunction for a client (durable medical equipment provider) restraining a former employee (sales representative) from taking advantage of proprietary and confidential information developed while employed with the client. The former employee sought to use this information with his new employer, a competitor in the durable medical equipment industry. He was able to achieve this result even without a contractual restriction in effect.

- Lectures and Papers Presented
 - Impact of *Texas West Oaks Hospital v. Williams on Texas Health Care Non-Subscriber Health Care Providers* (the importance of the Texas Supreme Court's decision in a landmark case on health care law).
- Community Involvement
 - Committee Member, Kim Tindall's Campaign for National Woman of the Year - Leukemia & Lymphoma Society, 2014
 - Committee Member, Angie Lozano's Campaign for Woman of the Year - Leukemia & Lymphoma Society, 2013
 - American Cancer Society, Cattle Baron's Gala - Silent Auction Committee
 - Mission Trips to Haiti and Mexico
- Other Civic, Family, and Religious Activities
 - Active in coaching various children's sports teams - soccer, baseball and basketball.
 - Parishioner – St. Peter The Apostle Catholic Church

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- Admissions
 - State Bar of Texas
 - United States District Court for the Western District of Texas
 - United States District Court for the Northern District of Texas
 - United States District Court for the Southern District of Texas
 - Education
 - J.D., St. Mary's University School of Law, 1996
 - B.B.A., Accounting, The University of Texas Austin, 1993
 - Professional Associations and Memberships
 - State Bar of Texas Litigation Section
 - State Bar of Texas Business Section
 - State Bar of Texas Health Law Section

- San Antonio Bar Association (Litigation and Real Estate Sections)
- Phi Delta Phi Honorary International Legal Fraternity
- Business Genesis Network (former member)
- North San Antonio Chamber of Commerce (former member)
- Greater San Antonio Chamber of Commerce (former member)
- North Central Rotary (former member)
- North San Antonio Chamber of Commerce Business Expo (former chair)
- North San Antonio Chamber of Commerce Small Business Council (former member)
- Honors
 - Eagle Scout - Boy Scouts of America
 - Rising Star, Estate Planning, Texas Monthly Magazine, 2011
 - Super Lawyer, Commercial Litigation, Texas Monthly Magazine, 2014 -2018