

Dennis J. Eichelbaum

VITA

Among Mr. Eichelbaum's greatest accolades and achievements is the fact that his peers through Martindale Hubbell rating system have given him an AV rating, representing the highest rating a lawyer can receive.

Education

Juris Doctorate:		Northern Illinois University College of Law 1986
Bachelor of Arts:	Political Science Major History Minor	Northern Illinois University 1983

Professional Experience

Managing Shareholder, Schwartz & Eichelbaum, Wardell Mehl and Hansen, P.C. 2001-present

Managing Shareholder, Schwartz & Eichelbaum, P.C. 2001-2007

Senior Shareholder, Schwartz & Eichelbaum, P.C. 1986- 2001

Courts:

- U.S. Supreme Court (1990)
- U.S. Court of Appeals, Fifth Circuit (1989)
- U.S. District Court, Western District (1989)
- U.S. District Court, Northern District (1989)
- U.S. District Court, Eastern District (1989)
- U.S. District Court, Southern District (1997)
- Texas Supreme Court (1986)

Selected Cases:

Cater v. Gibson, 2011 WL 115049, N.D.Tex. April 20, 2011)

Mission Consol. Indep. Sch. Dist. v. Garcia, 235 S.W.3d 653 (Tex. 2008), 51 Tex. Sup. Ct. J. 621.

Johnson v. Waxahachie Indep. Sch. Dist., __ S.W.3d __, 2010 WL 3409654, Tex.App.-Hou. (14 Dist.), August 31, 2010

Guerra v. Santa Rosa Indep. Sch. Dist., 241 S.W.3d 594 (Tex.App.-Corpus Christi 2007, rev. denied).

Barrow v. Greenville Indep. Sch. Dist., 480 F.3d 377 (5th Cir. 2007), cert. denied, *Barrow v. Greenville Indep. Sch. Dist.*, 128 S.Ct. 255 (2007).

Waxahachie Indep. Sch. Dist. v. Johnson, 181 S.W.3d 781 (Tex. App.–Waco 2005, rev. denied).

Howze v. City of Austin, 917 F.2d 208 (5th Cir. 1990).

Tasby v. Woolery, 869 F. Supp. 454 (N.D. Tex. 1994).

Tasby v. Edwards, No. CIV. 3:4211-H, 1992 WL 367840 (N.D. Tex., November 27, 1992).

Bates v. Dallas Indep. Sch. Dist., 952 S.W.2d 543 (Tex. App.–Dallas 1997).

Breckenridge Indep. Sch. Dist. v. Valdez, 211 S.W.3d 402 (Tex. App.–Eastland 2006).

Moses v. Dallas Indep. Sch. Dist., 12 S.W.3d 168, (Tex. App.–Dallas 2000).

Resendez v. Johnson, 52 S.W.3d 689 (Tex. 2001).

Rodriguez v. Cruz, 296 F. Supp. 2d 726 (S.D. Tex. 2003).

Amaral-Whittenberg v. Alanis, 123 S.W.3d 714 (Tex. App.–Austin 2003).

Johnson v. Tims, No. 10-05-00006-CV, 2005 WL 1531336 (Tex. App.–Waco 2005, pet. denied).

In re Mabank Indep. Sch. Dist., 165 S.W.3d 808, 199 Ed. Law Rep. 996 (Tex.App.-Tyler 2005)

New Caney Indep. Sch. Dist. v. Burnham AutoCountry, Inc., 30 S.W.3d 534 (Tex. App.–Texarkana 2000).

Jones v. Dallas Indep. Sch. Dist., No. 05-97-00532-CV, 1997 WL 222824 (Tex. App.–Dallas 1997).

Doe v. Castleberry Indep. Sch. Dist., 31 Fed. Appx. 835 (5th Cir. 2002).

Castleberry Indep. Sch. Dist. v. Doe, 35 S.W.3d 777 (Tex. App.–Fort Worth 2001).

Doe ex rel. Doe v. Dallas Indep. Sch. Dist., 220 F.3d 380 (5th Cir. 2000).

Marble Falls Indep. Sch. Dist. v. Shell ex rel. Shell, No. 03-02-00693-CV, 03-02-00652-CV, 2003 WL 1738417 (Tex. App.–Austin 2003).

Aetna Life Ins. Co. v. Kaufman Indep. Sch. Dist., No. CIV.A.3:99-CV-1085-G, 2000 WL 284194 (N.D. Tex. 2000).

Barfield v. Dallas Indep. Sch. Dist., No. 05-04-00374-CV, 2004 WL 2804861 (Tex. App.–Dallas 2004).

Watson v. Dallas Indep. Sch. Dist., 135 S.W.3d 208 (Tex. App.-Waco 2004).

Dallas Indep. Sch. Dist. v. Lee, No. 05-01-00359-CV, 2002 WL 109626 (Tex. App.-Dallas 2002).

Ugo v. Dallas Indep. Sch. Dist., No. 11-99-00144-CV, 2000 WL 34235131 (Tex. App.–Eastland 2000).

Williams v. Dallas Indep. Sch. Dist., No. CIV.A.3:04-CV-1386-L, 2005 WL 2317985 (N.D. Tex. 2001).

Harlandale Indep. Sch. Dist. v. Rodriguez, 121 S.W.3d 88 (Tex. App.–San Antonio 2003).

Trustees of Indep. Presbyterian Church of Savannah v. Savannah Kidswear, Inc., 452 S.E.2d 546 (Ga. App. 1994).

Johnson v. Resendez, 993 S.W.3d 723 (Tex. App.–Dallas 1999).

Barrow v. Greenville Indep. Sch. Dist., No. 3:00-CV-0913-D, 2005 WL 1867292 (N.D. Tex. 2005).

Myers v. City of Highland Village, Tex., 269 F. Supp. 2d 850 (E.D. Tex. 2003).

Dallas Indep. Sch. Dist. v. Powell, 68 S.W.3d 89 (Tex. App.–Dallas 2001).

Rodriguez v. Laredo Indep. Sch. Dist., 82 F.Supp. 679 (S.D. Tex. 2000).

Williamson v. Dallas Indep. Sch. Dist., No. 11-97-00415-CV, 1999 WL 33744314 (Tex. App.–Eastland 1999).

Turman v. Greenville Indep. Sch. Dist., No. 3:03-CV-1786-B, 2006 WL 249885 (N.D. Tex. 2006).

Causby v. Groveton Indep. Sch. Dist., No. CIV.A. 9:05CV172, 2005 WL 3359885 (E.D. Tex. 2005).

Johnson v. Dallas Indep. Sch. Dist., 38 F.3d 198 (5th Cir. 1994).

Leffall v. Dallas Indep. Sch. Dist., 28 F.3d 521 (5th Cir. 1994).

Hoskins v. Kaufman Indep. Sch. Dist., No. CIV.A 3:03-CV-0130-D, 2004 WL 1283958 (N.D. Tex. 2004).

Ward v. Theret, No. 08-08-00143, 2009 WL 2136299 (Tex. App.–El Paso 2009, no pet.).

Marble Falls Indep. Sch. Dist. v. Scott, 275 S.W.3d 558 (Tex. App.–Austin 2008, pet. denied).

Amarel-Wittenberg v. Alanis, 123 S.W.3d 714 (Tex. App.–Austin 2003).

In re Region One ESC, No. 13-06-681-CV, 2007 WL 842058, (Tex. App.–Corpus Christi 2007).

Major Clients: Over one hundred and fifty school districts throughout TX

Regional Education Service Centers, Regions 1, 7, 9, 14, 16 and 18

Texas Association of Mid-Size Schools

The Equity Center

Misc. Adjunct Professor 1993-2008
Texas Women's University
(Graduate Course: Texas School Law)

Member of College of State Bar 1995-2008
of Texas

School Law Section of State Bar 1990-present

Texas Council of School Attorneys 1996-present

Member of Dallas and Collin County Bar Associations

American Bar Association Member

Member of Defense Research Institute

Articles Published TEXASISD.com (monthly article) 2004-present

Texas Public Information Act
ASRC Bulletin (TASA Bulletin) Jan/Feb 1998

The Texas Public Information Act: Friend or Foe?
ASRC Bulletin (TASA Bulletin) Sept/Oct 1996

To Tape or Not to Tape, That is the Question
The Administrator, D.S.A.A. Nov/Dec 1995

Steps to Control Your School Building, and Your Sanity
The Administrator, D.S.A.A. May 1995

Sexual Harassment
The Texas Secretary, Vol XLV No. 3 Spring 1995

School Safety: Is There a Duty to Protect Students from Each Other?
TASA Bulletin Jan/Feb 1995

We Call it 'Puppy Love', They Call it 'A Lawsuit'
TASA Bulletin July/Aug 1994

Sexual Harassment by Students: What's a Principal to Do?
TASA Bulletin Mar/Apr. 1994

Special Ed: Mainstreaming, Homecoming and Inclusion
TASA Bulletin Nov/Dec. 1993

Divorce: A Legal Synopsis for Administrators
TASA Bulletin July/Aug. 1993

The Family Leave Act
TASA Bulletin May/June 1993

Religion in Schools,
TASA Bulletin Aug./Sept. 1992

The New Civil Rights Act,
TASA Bulletin May/June 1992

*The Americans With Disabilities Act: A Tough Act to Follow,
Part I & II,*
TASA Bulletin May/June, July/Aug. 1992

Sexual Harassment in Schools, Part I & II
TASA Bulletin Jan./Feb., March/Apr. 1992

The Friendly Machiavellian: Ten Easy Steps to Win Grievances,
T.E.P.S.A. Journal December 1991

District Dress Codes for Students,
TASA Bulletin Nov./Dec. 1990

Grievance Policies - Is the Simplest Always the Best?
TASA Bulletin Aug./Sept. 1990

Misc. Published Video: *Preventing Sexual Harassment in the Educational
Environment,*
(wrote, narrated, co-produced) Copyright 1992
(wrote, narrated, co-produced) Copyright 2005

National/Statewide Lectures and Workshops

- 2011 Texas Council of School Attorneys CLE
 (“RIF Roundtable”) (October 2, 2011)
- Texas Schools Public Relations Association Annual Conference
 (“Wagging the Dog: Dealing with the Media”) (February 17, 2011)
- 2010 University of Texas School Law Conference
 (“First and Fourth Amendment Update”) (February 18, 2010)
- T.A.S.B. Midwinter Convention
 (“Dealing with the Media”) (January 26, 2010)
- T.A.S.P.A. – (Tex. Assoc. of School Personnel Administrators)
 (“Documenting to Win: Top Ten Tips”)
- 2009 T.A.S.B./T.A.S.A. Annual Convention
 (“Dealing with the Media”)
- T.A.S.P.A. – (Tex. Assoc. of School Personnel Administrators)
 (“Contracts: Making Him an Offer He Can’t Refuse”)
- 2008 T.A.S.B./T.A.S.A. Annual Convention
 (“RVAA Update”)

- T.A.S.P.A. – (Tex. Assoc. of School Personnel Administrators)
 (“The Whistleblower Act”)
- 2007 T.A.S.P.A. – (Tex. Assoc. of School Personnel Administrators)
 (“Investigations”)
- T.A.S.B./T.A.S.A. Annual Convention
 (“Cyberbullying”)
- 2006 T.A.C.S.
 (“Legal Update”)
- T.A.S.P.A. – (Tex. Assoc. of School Personnel Administrators)
 (“Documentation”)
- T.A.S.B.
 (Panel Discussion on Superintendent’s Contracts)
- T.A.S.B./T.A.S.A. Annual Convention
 (“Corporal Punishment and Other Liability Issues”)
- Texas Schools Public Relations Association Annual Conference
 (“FERPA: Avoiding Violating Students’ Federal Rights When
 Dealing with the Media”)
- University of North Texas – School Law Conference
 (“Liability”)
- 2005 Texas Schools Public Relations Association Annual Conference
 (“FERPA: Avoiding Violating Students’ Federal Rights When
 Dealing with the Media”)
- 2004 T.A.S.B./T.A.S.A. Annual Convention
 (“Controlling and Spinning Media Coverage for Your District”)
- 2003 T.A.S.B./T.A.S.A. Annual Convention
 (“Liability for School Administrators”)
- 1999 National Business Institute
 (“Hot Topics in School Law”)
- Lorman Education Services
 (“Hot Topics in School Law”)
- T.A.S.B./T.A.S.A. Annual Convention

- ("Student to Student Sexual Harassment")
- 1998 National Business Institute
("Hot Topics in School Law")
- Texas Christian University
("School Law" - Guest Lecturer)
- 1997 Lorman Education Services
("Hot Topics in School Law")
- National Business Institute
("Hot Topics in School Law")
- 1996 48th Annual Superintendent's Workshop for Educational Leaders
University of Texas/TASA/TEA
("School Violence: How to Minimize Your District's Liability")
- 1995 47th Annual Superintendent's Workshop for Educational Leaders
University of Texas/TASA/TEA
("Search and Seizure: Drugs, Weapons, and Money")
- T.A.S.B./T.A.S.A. Annual Convention
("Preventing Sexual Harassment")
(In-Depth Session)
- T.A.S.B./T.A.S.A. Annual Convention
("Search and Seizure: Drugs, Weapons and Money")
- East Texas State University
School Safety Conference Commerce, TX
("Practical Aspects of Search and Seizure: Recent Case Law and
Legal Implications")
- T.A.S.A. Spring Conference for Administrators
("School Violence: How to Minimize Your District's Liability")
- 1994 National Organization Legal Problems in Education
40th Annual Convention San Diego, CA
("Teaching School Law: Exploring Alternatives")
- T.A.S.B./T.A.S.A. Annual Convention
("Preventing Sexual Harassment")
- 1993 American Association of School Administrators
125th Annual Convention Orlando, FL
("Preventing Sexual Harassment")

State Bar of Texas
7th Annual School Law Section Conference
("Conflict of Interest")

T.A.S.B./T.A.S.A. Annual Convention
("Preventing Sexual Harassment")

Texas Educational Secretaries Association
Summer Work Conference
("Preventing Sexual Harassment")

1992

Texas A&M University
Principals' Center Academy
("Preventive Law - Grievances")

T.A.S.B./T.A.S.A. Annual Convention
("Preventing Sexual Harassment")

T.A.S.B./T.A.S.A. Annual Convention
("The Americans With Disabilities Act")

Texas Christian University
("School Law" - Guest Lecturer)

1991

National Coalition for Sexual Equality
and Education Conference
("Preventing Sexual Harassment")
San Antonio, TX

Texas A&M University
Principals' Center Academy
("Preventive Law - Grievances")

T.A.S.B./T.A.S.A. Annual Convention
("Preventing Sexual Harassment")

1990

National Coalition for Sexual Equality
and Education Conference
("Preventing Sexual Harassment")
Park Cities, UT

T.A.S.B./T.A.S.A. Annual Convention
("Preventing Sexual Harassment")

Texas A&M University

Principals' Center Academy
("Preventive Law - Grievances")

Texas Education Agency
Office Educ. Professional Improvement Conference
("Preventing Sexual Harassment")

1987-present Various Workshops and Lectures throughout Texas at regional Education Service Centers, for the Texas Association of Mid-Size Schools, and local school districts on topics including Preventing Sexual Harassment, How to be an Effective Trustee, Robert's Rules of Order, the Texas Open Meetings Act, the Texas Public Information Act, School Violence, Search and Seizure, the First Amendment, How to Handle Grievances, Due Process, Documenting to Win, Avoiding Litigation in Hiring and Termination Practices, School Law for School Secretaries, School Law for Librarians, Assistant Principals Legal Boot Camp, as well as other requested topics.

Awards, Honors, Etc.

Martindale Hubbell Law Directory **AV** Rating 2004-present

Outstanding Young Alumni Northern Illinois University College
of Law 1992

Who's Who in Attorneys 1989, 1990

Life Member of National Registry of Who's Who 2000

Dean's List Northern Illinois University College of Law