

**Jo Ann Merica**  
**Special Counsel, Austin, Texas**

Commercial Practices



**JO ANN MERICA**

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### Current Scope of Practice

Jo Ann Merica is special counsel with the Commercial Practices Group. She focuses her practice on the representation of clients in real estate, construction, commercial, consumer and administrative law matters. Ms. Merica also represents clients in non-custody marital and domestic partnership dissolutions. Ms. Merica has brought suit and defended claims involving breach of contract, deceptive trade practices, fraud, construction defects, wrongful termination, age discrimination, FLSA violations, condemnation and restrictive covenants, among others. She has also successfully defended claims brought against state agencies.

### Affiliations, Activities and Accomplishments

Ms. Merica is admitted to practice in Texas (1984) and before the U.S. District Court for the Northern, Southern and Western Districts of Texas, and the Fifth U.S. Circuit of the Court of Appeals.

Ms. Merica is the current chair of the Austin Bar Foundation and the immediate past president of the Austin Bar Association. She has also served as the president of the Texas Young Lawyers Association (TYLA) (1998-99) and the Austin Young Lawyers Association (1993). Each bar association led by Ms. Merica has won first-place honors and awards for projects created and implemented during her leadership. One project created by the Texas Legislature under the sponsorship of TYLA, the “And Justice for All” specialty license plate, has raised more than \$200,000 to date for basic civil legal services for the poor.

In 2004, Ms. Merica received the Texas Law Fellowships Interest in Public Service Award. She has served on the State Bar Court Rules Committee (2003-2007), the Texas Equal Access to Justice Commission (2003-2005) and the State Bar Insurance Disclosure Task Force (2008). Ms. Merica has also taught basic trial advocacy as an adjunct professor for the University of Texas School of Law since 1993.

In the community, Ms. Merica serves as a leader on the strategic planning committee of her church and as a regular volunteer for Mobile Loaves and Fishes. She has previously served as legal counsel, secretary and vice president of Wild Basin Wilderness Preserve (1999-2008) and the City of Austin Ethics Review Commission. Ms. Merica is a 2007 graduate of Leadership Austin and remains an active member of the organization.

### Litigation Matters

Ms. Merica is an active trial and appellate lawyer and has litigated numerous cases, administrative hearings, and NASD and construction related arbitrations, including:

- *Ghosh v. GJP and Classic Jaguar* (2004), Travis County: Deceptive Trade Practice
- *Pacheco v. Van's Auto Parts* (2003), U.S. District Court, Western District: FLSA Claim
- *Butler v. State*, Travis County (2000): Condemnation
- *William Russell v. Wilshire Homes, Ltd.* (1999), Travis County: Age Discrimination

### Appellate Arguments

- *Ghosh v. GIP*, Third Court of Appeals, Austin: Personal Jurisdiction
- *Goodenbour v. Goodenbour*, Third Court of Appeals, Austin: Personal Jurisdiction
- *Vineyard Bay Development v. Vineyard on Lake Travis*, Third Court of Appeals: Usury

### Presentations and Publications

- Speaker, "Trial Advocacy for the 21st Century," State Bar of Texas.
- Author, "The Lawyer's Basic Guide to Domestic Violence," *Texas Bar Journal*.
- Panelist, "Judicial Section and Independence of the Judiciary," American Bar Association, University of Texas School of Law.

### Education

Ms. Merica received her J.D. (1984) from the University of Texas School of Law in Austin. She earned her B.A. in English from the University of Texas at Austin *magna cum laude* (1981).