

**Summary of Qualifications**

Accomplished attorney with diverse experience and strong background in the development of contracts and solicitation documents on behalf of the State of Texas. Proven ability to handle complex issues of law.

**Work History**

Feb 01, 2006

**Texas Parks and Wildlife Department - Austin, Texas**

Branch Manager

Manager of Contracting and Project Management Information Systems branch of Department's Infrastructure Division. Responsible for managing agency's program relating to development, restoration and repair of statewide inventory of state parks, wildlife areas, fisheries and historical sites. duties include the management of staff, development and review of procurement documents and related administrative processes; negotiation of contract terms, conditions, and disputes; review and implementation of laws affecting agency's capital program; and special projects as assigned. Management responsibilities include oversight of Division's information systems and Branch budget.

Dec 12, 2005 - Jan 31, 2006

**Texas Department of Transportation - Austin, Texas**

Enforcement Attorney

Enforcement Attorney in Motor Vehicle Division of TxDOT. Responsible for investigation and prosecution of enforcement actions.

Jun 16, 2003 - Dec 11, 2005

**Texas Building and Procurement Commission - Austin, Texas**

Legal Counsel

Served as legal counsel to Commission members, Executive Director, General Counsel and agency staff on complex contract and administrative law issues. Responsible for preparing contracts, procurement documents, solicitation templates, leases, Memoranda of Understanding with other state agencies and political subdivisions, statements of work, RFPs, bid forms and other legal documents and advice relating to facility management, construction projects, state leases, real estate transactions and general procurement of goods and services. Involved in development of agency pleadings and discovery in pending litigation. Liaison to Office of Attorney General in construction claims. Assist in the development of agency administrative rules, ethical guidelines, and responses to open records requests. Represented agency in unemployment compensation hearings, mediations and other administrative hearings and negotiations. Responsible for detailed legal and policy research relating to contracting, procurement and open government issues. Provided legal counsel to State Council on Competitive Government. Served as lead counsel for the agency during search for permanent General Counsel.

Feb 07, 2000 - Jun 15, 2003

**Public Utility Commission - Austin, Texas**

Administrative Law Judge/Senior Attorney

As Senior Attorney in electric section of PUC's Legal Division, managed assigned cases, including performing legal research, drafting pleadings, negotiation of settlements. Duties included conducting cases, examining and cross examining witnesses and summarizing evidence before the State Office of Administrative Hearings. As Administrative Law Judge in PUC's Policy Development Division, essential functions included assisting in the development of Commission's contested case schedules; served as presiding officer in prehearing conferences, assisted Commission in presiding over key rate hearings during initial "deregulation" of electric rates by ruling on admissibility of evidence in assigned cases and briefing Commission in open meetings. Selected by the Commission and parties to mediate highly contested ERCOT fee cases. Served as Arbitrator in complex cases under federal telecommunications law. Responsible for drafting variety of Commission Orders and Arbitration Decisions, applying complex state and federal laws.

Aug 01, 1994 - Feb 06, 2000

**Law Office of James Mark Gentle - Austin, Texas**

Owner

Solo law practice included providing consulting services to law firms and non-profit entities across Texas in matters related to health care, insurance regulation, consumer protection and contract law. Served as consulting attorney to AARP in nursing home reform campaign. Provided overall campaign strategy, performed research on conditions in nursing homes and regulatory weaknesses; drafted proposed bill, testified before Texas House and Senate Committees and worked closely with Legislators and staff in the negotiation and passage of nursing home reform legislation. Awarded research grants by the Texas Dental Association and the Foundation for Insurance Regulatory Studies in Texas. Developed detailed reports on consumer protection issues in the Texas health care market.

**Work History - Continued**

Sep 01, 1991 - Jun 17, 1994	<p><b>State Board on Insurance</b> - Austin, Texas</p> <p>Special Counsel</p> <p>Advised Board members on complex issues of administrative law, rules, rates, contracts, and agency policies pertaining to all lines of insurance subject to state regulation. Supervised and supported representation of agency by the Office of Attorney General in pending litigation. Assisted in the drafting, editing and review of proposed legislation, regulations, Board Orders, legal briefs and agency pleading in pending litigation. Lead staff negotiator in agency's sunset legislation. Served on audit team responsible for the oversight of the Deloitte &amp; Touche contract to audit Texas' insurance statistical data. Served on team that redesigned specifications for insurance data collection in Texas. After Board dissolved by Legislature, assisted newly appointed Commissioner in the agency's transition from Board to single Commissioner. Briefly served as Section Chief of Legal's Market Activities section in 1994, handling high profile enforcement cases.</p>
Sep 01, 1989 - Aug 31, 1991	<p><b>Office of Attorney General</b> - Austin, Texas</p> <p>Assistant Attorney General</p> <p>Litigation attorney in complex antitrust case known as State v. ISO, then recognized as the largest antitrust case in the history of Texas' enforcement. Responsible for depositions of insurance industry executives, development of litigation strategy, preparation of briefs and other pleadings in support of the case. Key member of team invited by Governor's Office to draft and negotiate sweeping insurance reform legislation that was passed by the Legislature in 1991 (known as HB 2).</p>
Mar 01, 1983 - Aug 31, 1989	<p><b>State Board of Insurance</b> - Austin, Texas</p> <p>Insurance Director</p> <p>Created and managed Liability Claims Section (1987-1989) in response to Legislative directive to study "Tort Reform" opportunities in Texas. Responsible for development of statewide database and detailed analysis of liability insurance claim costs in Texas. Management responsibilities included overall project budget, planning, hiring and review of staff. Other duties included serving as Legal Counsel representing agency staff in contested insurance rate cases including automobile, general liability, property, workers' compensation and medical malpractice insurance. As Manager of the Title Insurance Section (1984-1987), responsible for strategic plan and budget for section. Developed forms, rules and agency policies relating to Texas title insurance industry. Performed market conduct investigations of Texas title agents and underwriters. Handled open record requests/inquiries from the media and general public. Drafted and negotiated extensive revisions to Chapter Nine of the Insurance Code adopted by Legislature in 1987.</p>
Feb 01, 1982 - Feb 28, 1983	<p><b>Judicial Insurance Receiverships</b> - Austin, Texas</p> <p>Law Clerk/Attorney</p> <p>Assisted court-appointed Receiver with take-over of insolvent insurance companies. Performed investigation of management activities, review of claims, and asset recovery. Assisted in day-to-day operation of insurance companies during liquidation. Developed evidence relating to location and ownership of company assets and presentation of evidence to Receivership Court to account for assets.</p>
Aug 01, 1980 - Sep 01, 1981	<p><b>Knight, Custer &amp; Duncan</b> - Albuquerque, New Mexico</p> <p>Law Clerk/Attorney</p> <p>Began as law clerk for corporate firm. Developed insurance coverage review format and performed review of all contract coverage for client banks. Assisted in estate planning for individual clients and performed basic legal research in support of firm's litigation team.</p>

**Education**

Aug 1977 - May 1980	<p><b>Memphis State University School of Law</b> - Memphis, Tennessee</p> <p>Education Level: Doctoral Degree</p> <p>Major: Law</p> <p>Graduated: Yes</p>
Sep 1973 - May 1974	<p><b>Auburn University</b> - Auburn, Alabama</p> <p>Education Level: Bachelors Degree</p> <p>Graduated: No</p>
Sep 1971 - Mar 1977	<p><b>University of Tennessee</b> - Knoxville, Tennessee</p> <p>Education Level: Bachelors Degree</p> <p>Major: Political Science</p> <p>Graduated: Yes</p>

**Occupational License/Certification**

**State Bar of Texas** - Texas

Attorney

License

Issued: Nov 05, 1982

**Occupational License/Certification - Continued**

**State Bar of New Mexico - New Mexico**

Attorney/Inactive Status

License

Issued: May 18, 1981