

# STEPHEN A MELENDI

E: [STEPHENM@TBMMLAW.COM](mailto:STEPHENM@TBMMLAW.COM) / P: 214-665-0103



**S**tephen's practice is concentrated on representing insurance carriers in insurance coverage analysis and disputes. He has represented primary and excess insurers in disputes involving interpretation of the coverage provided under a variety of coverage forms including general and professional liability, commercial property, commercial crime, errors and omissions, commercial auto, trucking, environmental coverages, as well as in disputes regarding an insurer's duty of good faith and fair dealing and other duties at the trial court level and on appeal. In addition, Stephen regularly advises insurers on coverage issues outside of litigation, as well as providing insurers with assistance in promulgating forms.



Stephen is Ranked in Chambers USA in Texas Insurance, and has been recognized in Best Lawyers in America for Insurance Law. He has been named a "Texas Super Lawyer" annually since 2013.

Stephen is rated "AV Pre-eminent" by Martindale-Hubbell, and is a Fellow of the American College of Coverage Counsel. He presently serves as the Chair of the Insurance Law Section of the State Bar of Texas.

## Admissions

Stephen is admitted to practice law before all state courts in Texas, Oklahoma, and New Mexico, all United States District Courts in Texas, Arkansas, Oklahoma, and Colorado, as well as the United States Courts of Appeal for the Fifth, Seventh, Eighth and Eleventh Circuits. He has also appeared in other state and federal courts throughout the country pro hac vice.

## Education

Stephen graduated cum laude from Southern Methodist University School of Law. While in law school, he was an articles editor for the International Law Review Association and is a member of Phi Delta Phi. He served as Judicial Extern for the late Judge Jerry Buchmeyer of the United States District Court for the Northern District of Texas. Prior to attending law school Stephen graduated from Texas A & M University

## Memberships

State Bar of Texas  
American College of Coverage Counsel, Fellow (ACCC)  
The Federation of Defense and Corporate Counsel (FDCC)  
Claims & Litigation Management Alliance (CLM)

American Bar Association  
College of the State Bar of Texas  
Defense Research Institute (DRI)  
Dallas Bar Association

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## Activities

Insurance Law Section of the State Bar of Texas,  
Chair 2022-2023  
Council Member 2014- present

Dallas Bar Association Tort and Insurance Practice Section,  
Chair – 2018 - Director – 2014 – 2019

Claims & Litigation Management Alliance (CLM) –  
Greater Dallas Chapter Vice-President 2018- present  
Greater Dallas Chapter Secretary – 2016 & 2017

## Personal

Mr. Melendi was born, and resides, in Dallas, Texas, and is a fourth generation Dallasite.  
Mr. Melendi is an Eagle Scout.

## Recent Speeches and Papers Presented at Accredited Continuing Education Seminars and Published Articles

Stowers Demands and Additional Insureds  
State Bar of Texas, Nineteenth Annual Advanced Insurance Law Course, San Antonio, Texas, 2022

Protecting Your Clients' Secrets  
State Bar of Texas Insurance Law Section Seminar, The New Essentials of Insurance Coverage Law, Houston, Texas, 2022

Sportsmanship, Civility, and Competition in the Practice of Law  
State Bar of Texas, Eighteenth Annual Advanced Insurance Law Course, San Antonio, Texas, 2021

Course Director  
State Bar of Texas, Eighteenth Annual Advanced Insurance Law Course, San Antonio, Texas, 2021

Texas Construction Project Litigation Issues: What your Momma Did Not Tell You about Litigation in Texas (or what she told you was wrong)  
The CLM Construction Conference, Virtual Seminar, 2020

Relapse: Can Insurance Inoculate Against Damage from the Virus? State Bar of Texas CLE Webcast, September 2020

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Course Director

State Bar of Texas, Seventeenth Annual Advanced Insurance Law Course, Virtual Seminar, 2020

COVID-19: Can Insurance Inoculate Against Damage from the Virus, State Bar of Texas

Insurance Law Section Webinar, April 2020  
Everything is Bigger in Texas, Including the Challenges in Construction Defect Litigation

The CLM Construction Conference, San Diego, California, 2019

Course Director

State Bar of Texas, Sixteenth Annual Advanced Insurance Law Course, San Antonio, Texas, 2019

Priority of Coverage or: Who Picks Up the Tab at the End of the Night

State Bar of Texas, Fourteenth Annual Advanced Insurance Law Course, San Antonio, Texas, 2017

The Primary Excess Relationships, Or the Cause and Effect of Helicopter Carriers

State Bar of Texas, Twelfth Annual Advanced Insurance Law Course, San Antonio, Texas, 2015

Gilbert/Ewing – Contractual Liability Coverage

State Bar of Texas, Ninth Annual Advanced Insurance Law Course, Dallas, Texas, 2012

Auto Coverage under General Liability Policies,

Presented at the 16th Annual Insurance Law Institute, University of Texas School of Law, 2011

Other Insurance: One, Two, Three ... Not "It!"

Presented at the 15th Annual Insurance Law Institute, University of Texas School of Law, 2010

The Application of Pollution Exclusions in Texas

Presented at the 14th Annual Insurance Law Institute, University of Texas School of Law, 2009

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## Representative Reported Cases

Hudnall v. Texas, No. EP-22-CV-36-KC-RFC, 2022 WL 3219423 (W.D. Tex. Aug. 9, 2022)

Colonial Pipeline Co. v. AIG Specialty Ins. Co., No. 1:19-CV-762-MLB, 2022 WL 866414 (N.D. Ga. Mar. 23, 2022)

Selery Fulfillment, Inc. v. Colony Ins. Co., 525 F. Supp. 3d 771, 773 (E.D. Tex. 2021)

Latray v. Colony Ins. Co., No. 07-19-00350-CV, 2021 WL 97204 (Tex.App. – Amarillo, Jan. 11, 2021), opinion withdrawn and superseded on denial of reh'g, No. 07-19-00350-CV, 2021 WL 5127520 (Tex.App. – Amarillo, Nov. 4, 2021)

Safe Home Sec., Inc. v. Philadelphia Indem. Ins. Co., 581 F.Supp.3d \_\_\_, No. 3:20-CV-1820-L-BK, 2021 WL 9097130, at \*1 (N.D. Tex. Sept. 15, 2021)

Philadelphia Indem. Ins. Co. v. Megalomeia, Inc., No. 4:20-CV-1644, 2021 WL 5155710 (S.D. Tex. May 28, 2021)

Argonaut Great Cent. Ins. Co. v. MLLCA, Inc., No. 02-19-00280-CV, 2021 WL 1919641 (Tex.App. – Fort Worth, May 13, 2021)

Colony Ins. Co. v. Emerald Valley Villas Homeowners' Ass'n, Inc., No. 3:19-CV-2487-L, 2021 WL 8014664 (N.D. Tex. Mar. 15, 2021)

Canal Ins. Co. v. Greenland Trucking, LLC, No. 3:20-CV-2970-G, 2021 WL 462051, at \*1 (N.D. Tex. Feb. 9, 2021)

Argonaut Ins. Co. v. Rio Marine, Inc., 477 F. Supp. 3d 576, 579–80 (S.D. Tex. 2020)

Greenville Townhome Owners Ass'n, Inc. v. Philadelphia Indem. Ins. Co., 473 F. Supp. 3d 692 (N.D. Tex. 2020)

United Specialty Ins. Co. v. Farmers Ins. Exch., No. 13-19-00127-CV, 2020 WL 6343341, at \*1 (Tex. App. Oct. 29, 2020)

Colony Ins. Co. v. First Mercury Ins. Co., No. CV H-18-3429, 2020 WL 5658662 (S.D. Tex. Sept. 22, 2020)

Colony Ins. Co. v. Rentech Boiler Sys., Inc., No. 1:16-CV-00159-BL, 2018 WL 1442740, (N.D. Tex. Mar. 1, 2018), report and recommendation adopted, No. 1:16-CV-159-C, 2018 WL 1418185 (N.D. Tex. Mar. 21, 2018)

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Colony Ins. Co. v. Burleson Cnty. Saddle Club, Inc., No. AU-17-CA-01051-SS, 2018 WL 3946548 (W.D. Tex. Aug. 16, 2018)

Hallmark Cnty. Mut. Ins. Co. v. Ace Am. Ins. Co., 283 F. Supp. 3d 559 (W.D. Tex. 2017)

N. Am. Capacity Ins. Co. v. Colony Specialty Ins. Co., 273 F. Supp. 3d 711 (S.D. Tex. 2017)

Colony Ins. Co. v. Custom Ag Commodities, LLC, 272 F. Supp. 3d 948 (E.D. Tex. 2017)

Colony Natl. Ins. Co. v. United Fire & Cas. Co., 677 Fed.Appx. 941 (5th Cir. 2017)

Quibodeaux v. Nautilus Ins. Co., 655 Fed.Appx. 984 (5th Cir. 2016)

Colony Ins. Co. v. Chesapeake Energy Corp., 215 F.Supp.3d 1190 (W.D.Okla. 2016)

Morrison v. Fettig, et al., 630 Fed.Appx. 307 (5th Cir. 2015)(per curiam)

Nautilus Ins. Co. v. Villalta, 558 Fed.Appx. 404 (5th Cir. 2014)

Colony Nat. Ins. Co. v. Unique Indus. Prod. Co., 487 Fed.App'x 888 (5th Cir. 2012)

Nautilus Ins. Co. v. Concierge Care Nursing Centers, Inc., 804 F. Supp. 2d 557 (S.D. Tex. 2011)

Continental Cas. Co. v. Consolidated Graphics, Inc., 646 F.3d 210 (5th Cir. 2011)

National Fire Ins. Of Hartford v. C. Hodges & Associates, PLLC, 825 F.Supp.2d 792 (W.D.Tex 2011)

Trinity Universal Ins. Co. v. Emplr Mut. Cas. Co, 592 F.3d 687 (5th Cir. 2010)

Am. S. Ins. Co. v. Buckley, 748 F.Supp.2d 610 (E.D.Tex.2010)

Mainland Drilling Ltd. P'ship v. Colony Ins. Co., 546 F. Supp. 2d 432 (W.D. Tex. 2008), aff'd sub nom. New-house v. Colony Ins. Co., 383 F. App'x 461 (5th Cir. 2010)

Emps. Mut. Cas. Co. v. Bonilla, 613 F.3d 512 (5th Cir. 2010)

Nautilus Ins. Co. v. Steinberg, 316 S.W.3d 752 (Tex.App. – Dallas 2010, pet denied)

Nautilus Ins. Co. v. Country Oaks Apartments Ltd., 566 F.3d 452 (5th Cir. 2009)

Colony Nat. Ins. Co. v. Specialty Trailer Leasing, Inc., 620 F.Supp. 786 (N.D.Tex. 2009)

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Nautilus Ins. Co. v. Nicky & Claire's Day Care, Inc., 630 F.Supp.2d 727 (W.D.Tex. 2009)

Nautilus Ins. Co. v. Reuter, 537 F.3d 733 (7th Cir. (Ind.) 2008)

National Fire Ins. Co. v. NWM-Oklahoma, LLC, Inc., 546 F. Supp. 2d 1238 (W.D.Okla. 2008)

Richmond Condominiums v. Skipworth Commercial Plumbing, Inc., 245 S.W.3d 646, (Tex.App.-Fort Worth 2008, pet. denied)

Transcontinental Ins. Co. v. Rainwater Const. Co., LLC, 509 F.3d 454, (8th Cir.(Ark.) 2007)

Nat'l Fire Ins. Co. v. Entertainment Specialty Ins. Services, Inc., 485 F.Supp.2d 737 (N.D.Tex. 2007)

Transport International Pool, Inc. v. Continental Ins. Co., 166 S.W.3d 781 (Tex.App. – Fort Worth 2005, no pet.)