

Michael Gallagher

Houston, TX
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EDUCATION

University of Houston Law Center, 2003

Georgetown University, 2000

Michael Gallagher is a member of our Mass Tort Law & Briefing Group, which prepares motions, briefs, and appeals for our firm's class action and multidistrict litigation teams. In twenty-three years of practice, Michael has tried twelve cases to verdict, has taken and defended hundreds of depositions, and has defeated dispositive and non-dispositive motions.

Michael graduated *cum laude* from Georgetown University in 2000. He then graduated from The University of Houston Law Center in 2003, where he was named to the Order of the Barristers and won the Blakely-Butler Moot Court Competition. After graduation, he served as a law clerk to the Honorable Richard A. Schell in the U.S. District Court for the Eastern District of Texas.

For the first several years of his career, Michael worked as an associate and later as a shareholder at a litigation boutique in Houston, representing defendants in personal injury, legal malpractice, and commercial cases. In 2012, Michael changed his practice to focus on representing injured plaintiffs. Since then, he has handled cases in many practice areas, including products liability, medical malpractice, premises liability, employment, environmental, commercial litigation, and insurance coverage.

Since joining Morgan & Morgan, Michael has worked on the following representative matters, among others:

- *In re: Future Motion, Inc. Products Liability Litigation*, Civil Action 5:23-md-3087; In the United States District Court for the Northern District of California, San Jose Division: In March 2024, Michael was appointed to the Plaintiffs' Steering Committee. As part of that work, Michael took depositions, worked up cases, and briefed and argued dispositive and non-dispositive motions, including a key decision regarding the application of the attorney-client privilege to public relations campaigns. *In re Future Motion, Inc. Prods. Liab. Litig.*, 2025 WL 523900 (N.D. Cal. Feb. 17, 2025). Less than two years after formation of the Onewheel MDL, the parties reached a settlement in principle as to all personal injury and wrongful death claims;
- *Baker v. Future Motion, Inc.*, Case # 23-009856; In the Circuit Court of the 17th Judicial Circuit in and for



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Broward County, Florida: Michael represented the plaintiff in a products liability case. The parties settled the case on the eve of trial;

- *Halikoytakis v. Future Motion, Inc.*, Case No. 29-2022-CA_000950; In the Second District Court of Appeal of Florida: Michael represented the plaintiff in an appeal of the trial court's order compelling a forensic examination of a cellular phone. Without hearing oral argument he Second District unanimously reversed and remanded the trial court's order;
- *United States ex rel. Breslow v. JP Pharma, LLC,* Civil Action No. 7:19-CV-839; In the United States District Court for the Western District of Virginia, Roanoke Division: Michael wrote the response to a motion to dismiss this False Claims Act case and wrote the response to a motion challenging the constitutionality of the False Claims Act. The district court denied both motions and allowed the case to proceed. *United States ex rel. Breslow v. JP Pharma, LLC*, 2025 WL 3640892 (W.D. Va. Dec. 16, 2025).

Michael's reported cases are as follows:

United States ex rel. Breslow v. JP Pharma, LLC, 2025 WL 3640892 (W.D. Va. Dec. 16, 2025); *Halikoytakis v. Future Motion, Inc.*, 410 So. 3d 1242 (Fla. 2d DCA 2025); *In re Future Motion, Inc. Prods. Liab. Litig.*, 2025 WL 523900 (N.D. Cal. Feb. 17, 2025); *Baker v. Future Motion, Inc.*, 2024 WL 4416351 (S.D. Fla. May 2, 2024); *In re: Future Motion, Inc. Prods. Liab. Litig.*, 709 F. Supp. 3d 1394 (J.P.M.L. 2023); *Colpoys v. Future Motion , Inc.*, 2023 WL 5917007 (M.D. Fla. Aug. 17, 2023); *In re: Recalled Abbott Infant Formula Prods. Liab. Litig.*, 2023 WL 3585639 (N.D. Ill. May 22, 2023); *Czimmer v. Janssen Pharms ., Inc.*, 122 A.3d 1043 (Pa. Super. Ct. 2015); *Gurley v. Janssen Pharms., Inc.*, 113 A.3d 283 (Pa. Super. Ct. 2015); *Tomlinson v. McComas*, 2011 WL 5607604 (Tex. App.—Fort Worth Nov. 17, 2011, pet. denied); *Potter v. HSN, Inc.*, 2011 WL 5191505 (S.D. Tex. Oct. 31, 2011); *Sylver v. Mathis*, 2011 WL 1541318 (D. Nev. Apr. 22, 2011); *Williams v. Cheyenne Crossing Res. Ass'n, Inc.*, 2010 WL 5287509 (E.D. Tex. Dec. 17, 2010); *Bosch v. Open Pines Condo. Owners Ass'n*, 2010 WL 4484189 (Tex. App.—Houston [1st Dist.] Nov. 10, 2010, pet. denied); *Mix v. Target Corp.*, 759 F. Supp. 2d 856 (W.D. Tex. 2010); *Broyles v. State ex rel. Abbott*, 381 F. App'x 370 (5th Cir. June 11, 2010); *Chessmore v. Wal-Mart Stores Tex., L.P.*, 2009 WL 3245413



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(S.D. Tex. Oct. 5, 2009); *Broyles v. Texas*, 618 F. Supp. 2d 661 (S.D. Tex. 2009); *Marin v. Gilberg*, 2009 WL 699947 (S.D. Tex. Mar. 11, 2009); *Lockett v. HB Zachry Co.*, 285 S.W.3d 63 (Tex. App.—Houston [1st Dist.] 2009, no pet.); *E & E Group, LLC v. SBD Trade Int'l, L.P.*, 2008 WL 5071069 (N.D. Cal. Nov. 26, 2008); *West v. Triple B Servs., LLP*, 264 S.W.3d 440 (Tex. App.—Houston [14th Dist.] 2008, no pet.); *Javelin Investments, LLC v. McGinnis*, 2007 WL 1003856 (S.D. Tex. Mar. 30, 2007); *Javelin Investments, LLC v. McGinnis*, 2007 WL 781190 (S.D. Tex. Jan. 23, 2007); *Nixon v. Wheatley*, 203 Fed. Appx. 674 (5th Cir. 2006); *Pree v. Target Corp.*, 2005 WL 8160956 (E.D. Tex. Sept. 7, 2005); *Dugas v. Washington Mutual*, 2005 WL 2234639 (E.D. Tex. Sept. 13, 2005); *Nixon v. Wheatley*, 368 F. Supp. 2d 635 (E.D. Tex. 2005).

Michael has published the following articles:

Snap Removal and the Absurdity Doctrine, 55 U. Mem. L. Rev. 915 (2025);

Snap Removal and the Anti-Injunction Act, 57 Tex. Tech. L. Rev. 153 (2024);

Blameless Ignorance Under Florida Law – A "Peculiarly Local Doctrine," 98 Fla. B.J. 34 (2024);

Snap Removal and the Sherlock Holmes Canon, 53 Cumb. L. Rev. 259 (2022-2023);

Clear Evidence of Impossibility Preemption after Wyeth v. Levine, 51 Gonzaga L. Rev. 439 (2016);

Legal Malpractice Lawsuits in Texas and the Forgotten Rule of Collectibility, 53 S. Tex. L. Rev. 101(2011);

Vetoing Class Actions, 24 Rev. Litig. 527 (2005);

Abolishing the Texas Jury Shuffle, 35 St. Mary's L.J. 303 (2004);

cited in *Hayes v. Thaler*, 371 F. App'x 563, 568 n.3 (5th Cir. Jan. 19, 2010);

Disarming the Confirmation Process, 50 Clev. St. L. Rev. 513 (2002-03).



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University of Houston Law Center, 2003

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Multidistrict Litigation

OneWheel PSC, N.D. Cal.

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BAR ADMISSION

- Texas
- Pennsylvania
- U.S. Court of Appeals, Fifth Circuit
- U.S. District Court for the Southern District of Texas
- U.S. District Court for the Eastern District of Texas
- U.S. District Court for the Northern District of Texas
- U.S. District Court for the Western District of Texas
- U.S. District Court for the District of Colorado

PRACTICE AREAS

- Mass Tort Attorneys