

## **Randy Gordon—Biography**

*Education:* Ph.D. (Law), University of Edinburgh; LL.M., Columbia University; J.D., Washburn University; Ph.D. (English), M.A., B.A., University of Kansas

*Professional Background:* Randy Gordon is a partner in and Chair of the Antitrust Practice of Gardere Wynne Sewell LLP, where he focuses on antitrust, RICO, class-action, and university-related matters. His professional activities include service as Past Chair of the State Bar of Texas Antitrust Section, a member of the Competition Torts Committee of the Antitrust Section of the ABA, and an elected member of both the WS Society and the American Law Institute. He has been recognized/featured in antitrust law by Chambers & Partners, Best Lawyers in America, Global Competition Review 100, Who's Who Legal, and Super Lawyers and is an Inaugural Member of the Texas Million Dollar Verdict Hall of Fame. He also routinely offers public commentary on antitrust, RICO, and class action matters ([The Economist](#), [Houston Chronicle](#), [Law360](#)).

*Educational Affiliations:* Randy is an Executive Professor of Law at Texas A&M University (with a joint appointment in the Department of History), a past Faculty Fellow of the Institute for Advanced Studies at the University of Edinburgh, a former adjunct at SMU, and a Fellow of the Dallas Institute. He has also served as an Advisory Board Member of the College of LA&S, the Hall Center for the Humanities, and the Spencer Museum of Art at KU and as a Key Collaborator in the Beyond Text project at the University of Edinburgh. He is the Senior Host of “The Writer’s Studio,” a series of interviews with contemporary authors broadcast throughout the country by KERA/National Public Radio; listen [here](#).

*Publications:* Randy is a frequent lecturer and writer. (See [SSRN page](#).) His recent book, *Rehumanizing Law: A Theory of Law and Democracy*, was published in 2011 by the University of Toronto Press (review: [Harvard](#)); book chapters on legal theory were recently published by Ashgate and Springer. He has law-review articles published in journals of California, Cambridge, Columbia, Florida, Loyola, Nevada, Penn, San Francisco, SMU, Southwestern, Suffolk, Tulane, and Vermont. Randy’s RICO articles are routinely cited as authority by courts, commentators and practitioners, including in pattern jury instructions, leading law reviews (e.g., Columbia, Harvard, NYU, and Yale), and briefs in cases before the US Supreme Court (e.g., *Anza*, *Bank of China*, and *Bridge*).

**RANDY D. GORDON**  
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rgordon@gardere.com WK  
Date of Birth: May 19, 1955  
[SSRN Page](#)

## **EDUCATION**

University of Edinburgh  
Edinburgh, Scotland  
Ph.D. (Law)  
Emphasis: Legal Theory  
Nominated for and Awarded IASH Faculty Fellowship  
Dissertation Advisors: Zenon Bankowski  
Neil MacCormick

Columbia Law School  
New York, New York  
LL.M.  
Emphases: Int'l & Comp. Law; Legal Philosophy  
Parker School Honors in Int'l & Foreign Law

Washburn University School of Law  
Topeka, Kansas  
J.D. Received Cum Laude  
Honors: ΦΚΦ; Law Journal Editor

The University of Kansas  
Lawrence, Kansas  
Ph.D. (English)  
Emphases: Critical Theory & Drama  
Dissertation Advisor: G. Douglas Atkins  
Honors: Final Oral Exam; Haglund Dissertation Prize  
M.A. (English)  
B.A. (English)

## **PROFESSIONAL BACKGROUND**

### **Legal Experience**

September 1995  
to Present  
Gardere Wynne Sewell LLP  
Dallas, Texas  
Present Position:  
Equity Partner–Trial/Antitrust  
Chair–Antitrust and Trade Regulation Practice

- Member of Trial Section and Chair of Antitrust Group of AmLaw 200, multi-office firm. Practice focuses on complex litigation, principally antitrust/competition law and RICO, with secondary emphases on securities and IP. Also counsel clients in over two dozen industries on the antitrust implications of transactions and

distribution plans. Former General Counsel to a global trade association serving the semiconductor industry. Lead attorney for a major research university in international products-liability litigation.

- As the Firm's first Professional Development Partner (2003-08) duties included firm-wide (1) design and implementation of curriculum, (2) budget oversight, and (3) supervision of training and development staff. This was a management-level position reporting to the Managing Partner and the Chief Operating Partner.

Elected May 2015      Barnes & Thornburg LLP      Position: Capital Partner  
Dallas, Texas

- Founding Partner of Dallas office of AmLaw 100, multi-office firm ([announcement](#)). Undiscovered client conflict cut affiliation short of full consummation.

May 1992 to      Crowe & Dunlevy      Position: Associate  
September 1995      Oklahoma City, Oklahoma

- Member of Litigation and Business Departments of 100+ lawyer firm. Practice focused on products liability (primarily drugs and medical devices), antitrust, banking, and mergers and acquisitions.

1991 Term      Kansas Court of Appeals      Intern for the Honorable Gary W. Rulon  
Topeka, Kansas

1991 Session      Kansas Legislature      Intern for the Honorable Jeff Freeman  
Topeka, Kansas

## **Higher Education Experience**

### **Teaching**

Present      Texas A&M University School of Law      Position: Executive Professor  
Fort Worth, Texas

- Joint appointment in Department of History
- Active participant in faculty governance, committee work, and main-campus liaison activities
- Teaching responsibilities include antitrust and legal theory
- Member of Career Services and Extern Advisory & Oversight Committee

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|-----------------|--|--|
| 2000 to 2016    | Southern Methodist University<br>Dallas, Texas   | Positions: Adjunct Professor of Law<br>& Lecturer in English |
|                 | <ul style="list-style-type: none"> <li>• Dedman School of Law Courses           <ul style="list-style-type: none"> <li>• Problems in Private Antitrust Litigation</li> <li>• How Lawyers See the World: Theories of Legal Interpretation, Justification and Institutionalization</li> </ul> </li> <li>• Master of Liberal Arts Courses           <ul style="list-style-type: none"> <li>• Literature of the Great Plains: A Study in Environment</li> <li>• Law and Literature: Parallel Interpretive Strategies</li> <li>• Marcel Proust and the Modern Tradition: Literature, Philosophy, Art</li> <li>• Americans in Paris: The Lost Generation and Its Milieu</li> <li>• Discovering Proust: <u>Swann's Way</u> and the Texture of Memory</li> </ul> </li> </ul> |  |
| Present         | Dallas Institute of Humanities & Culture<br>Dallas, Texas  | Position: Fellow   |
|                 | <ul style="list-style-type: none"> <li>• Courses include:           <ul style="list-style-type: none"> <li>• Reconstructing the Past: Harper Lee's <i>To Kill a Mockingbird</i> and <i>Go Set a Watchman</i></li> <li>• Existentialism Represented: Literature, Philosophy, Film</li> <li>• Great Plains, Deep South: Like and Unlike</li> <li>• Americans in Paris</li> <li>• <i>Swann's Way</i>: An Introduction to Proust</li> </ul> </li> </ul>  |  |
| 1988 to<br>1992 | The University of Kansas<br>Lawrence, Kansas   | Position: GTA and Lecturer                                   |
|                 | <ul style="list-style-type: none"> <li>• Taught two sections of undergraduate English per semester. Pedagogical training included a two-semester teaching practicum. Courses taught: Law and Literature: Parallel Interpretive Strategies, Protest Literature, Introduction to the Drama, Composition and Literature, and Composition.</li> </ul>  |  |
| Spring<br>1989  | Washburn University<br>Topeka, Kansas  | Position: Adjunct Instructor                                 |
|                 | <ul style="list-style-type: none"> <li>• Taught Advanced Composition and Business and Technical Writing</li> </ul>   |  |

### **University and Related Leadership**

- Elected Member, American Law Institute (Member Constituency Groups: Restatement 3d: Aggregate Litigation; International Commercial Arbitration; Project on Sexual and Gender-Based Misconduct on Campus)
- Key Collaborator, Beyond Text in Legal Education, a project of the University of Edinburgh ([Beyond Text site](#))
- Member, Founding Dedman College (SMU) Interdisciplinary Committee
- The University of North Texas System—Advisor to Chancellor Lee Jackson (Dallas Law School project); Invited Member, Founders Board, UNT School of Law (declined); Member, Founding Dean Search Committee
- Invited Member, ABA Law School Accreditation Site Evaluation Teams (invited to and attended ABA workshop, February 2007)
- The University of Kansas College of Liberal Arts & Sciences—Former Member, Advisory Board (Former Member, Executive Committee)
- Hall Center for the Humanities at the University of Kansas—Former Member, Advisory Board
- Spencer Museum of Art at the University of Kansas—Member, Advisory Board
- The Simons Public Humanities Fellowship—Former Member, Selection Committee
- Dallas Institute of Humanities & Culture—Fellow & Past President, Board of Directors
- Professional Development Consortium—Former Member, Board of Directors
- ABA Section of Legal Education and Admissions to the Bar—Former Member, Professionalism Committee; Former Member, CLE Committee
- Faculty Member, Appellate Judges Education Institute (November 2004)

### **Conferences, Workshops, and Series Organized**

- Chair, “The Road to Hell Is Paved with ‘Particular Intentions’: Literary, Historicist & Authorial Perspectives on Evidence,” Law, Culture, and Humanities Annual Conference, University of Virginia (March 10-11, 2014).
- Co-organizer (with Maksymilian Del Mar of Queen Mary, University of London), “Arts and Legal Reasoning,” Law, Culture, and Humanities Annual Conference, Birkbeck College, London (March 22-23, 2013).
- Co-organizer (with Maksymilian Del Mar, then of Université de Lausanne), “Exemplary Narratives: Interdisciplinary Perspectives,” World Congress of Philosophy of Law and Social Philosophy ([conference page](#)), Goethe University, Frankfurt (August 15-20, 2011).

- Co-organizer (with Larry Allums of the Dallas Institute, Tom Mayo of SMU/McGuire Center, and John Sadler of UT Southwestern Medical Center), “City of Imagination: The Meaning of Virtue in the Professions,” Dallas (October 2010-May 2011).
- Co-organizer (with Larry Allums of the Dallas Institute), “Indians of the Great Plains: A Symposium,” Dallas (October 2010).
- Co-organizer (with Robert Pirrie of the WS Society), “Competition Law: A Transatlantic Perspective,” Edinburgh (October 2008).
- Chair, “Partnering for Success,” Professional Development Consortium Winter Conference, San Antonio (February 2007).
- Chair, “Conversations with the Regulators,” State Bar of Texas Antitrust and Business Section Annual Update, Dallas (November 2006).
- Co-organizer (with Dean John Attanasio of SMU/Dedman School of Law), “Critical Choices: Education Decisions for the Next Generation of Lawyers,” a national conference presented by SMU, The Dallas Institute of Humanities & Culture, the Legal Education Section of the ABA, and the Professional Development Consortium (April 2004).

### **Business Experience**

1983 to 1991                      The Gordon Company                      Position: Partner  
Lawrence, Kansas

- Negotiated and settled up to hundreds of insurance claims per year.

1978 to 1984                      Britches Corner                      Position: Owner  
Lawrence, Kansas

- Operated 2500 sq. ft. clothing store. Marketed store in 1984. Personally trained and motivated staff of 10+ sales associates.

### **Media Experience**

Senior Host, “The Writer’s Studio,” an ongoing series of interviews with contemporary authors. Broadcast locally by KERA and nationally by selected NPR affiliates. Listen [here](#).

- Most recent season included Eric Bogosian, Richard Olen Butler, Jay McInerney, Ann Patchett, Richard Price, Marilyn Robinson, and Jane Smiley.
- Past seasons included Candace Bushnell, Junot Diaz, James McPherson, Bobbie Ann Mason, Louis Begley, Kimberla Lawson Roby, Charles Baxter, Louise Erdrich, Joseph Wambaugh, Rick Moody, Ernest Gaines, Sidrid Nunez, Scott Turow, Joan Didion, Bret Easton Ellis, Michael Cunningham, Jimmy Santiago Baca, J. California Cooper, Margaret Drabble, James Ellroy, Carlos Fuentes, Francine Prose, Umberto Eco, Walter Mosley, Alice

Walker, Tracy Kidder, Maxine Hong Kingston, Kathryn Harrison, T. Coraghessan Boyle, Nicholson Baker and Julia Alvarez.

“A Splendid Exchange,” an interview with William Bernstein (November 21, 2008).

“Colin Powell,” an interview with Karen DeYoung (November 28, 2007).

“The Anonymous Lawyer,” an interview with Jeremy Blachman (May 22, 2007).

“Limitations,” an interview with Scott Turow (November 29, 2006).

“A Visit to Dallasville,” an interview with Peter Bogdanovich (October 29, 2004).

“The Big Apple Comes to Big D,” an interview with George Plimpton (February 25, 2003).

## PUBLICATIONS

### Books, Edited Volumes, Monographs & Chapters

EVERYDAY LAWYERING: WHERE IMAGINATION AND MORALITY MEET ADVOCACY AND LOGIC (in progress—proposal in circulation).

“Removal,” 607 LITIGATION PRACTICE PORTFOLIO SERIES (BNA, 2016) (with Charles S. North).

REHUMANIZING LAW: A THEORY OF LAW AND DEMOCRACY (U of Toronto P, 2011) (reviewed, 125 HARV. L. REV. 875 (2012)) (*publisher’s description*: [book](#); *review*: [Harvard](#)).

“Dramatic Deconstruction: The Plays of Sam Shepard,” unpub. dissertation (1990).

“Truth in Context: Sketching a (New) Historicist Legal Pedagogy,” in THE MORAL IMAGINATION AND THE LEGAL LIFE (Bankowski & Del Mar, eds., Ashgate, 2013) (*publisher’s description*: [book](#); *review*: [ALWD](#)).

EXEMPLARY NARRATIVES, a special issue of LAW & LITERATURE, Vol. 25, No. 3 (co-editor with Maks Del Mar) (2013).

“Fictitious Fraud: Economics and the Presumption of Reliance,” in LEGAL FICTIONS IN THEORY AND PRACTICE (Del Mar & Twining, eds., Springer, 2015) (*review*: [Tamanaha](#)).

Editor, TEXAS BUSINESS LITIGATION QUARTERLY (2015-present).

### Law Reviews

“Law-as-Performance” (in progress).

“Making Meaning: Towards a Narrative Theory of Statutory Interpretation and Judicial Justification” (in progress—25,000-word manuscript drafted).

“Signs and Referents: A Second Look at Classic Contractual Ambiguity” (in progress).

“A Study in Tartan: Neil MacCormick’s Literary Humanism” (in progress).

“Virtuous Billing,” 15 NEV. L. J. 698 (2015) (with Nancy Rapoport, invited submission to symposium issue) (SSRN “Top Ten Download,” October 2015); *republished in* LAW & HUMANITIES EJOURNAL, 19(78), October 21, 2015 (*review*: [Jotwell](#)).

- “Of Gangs and Gaggles: Can a Corporation Be Part of an Association-in-Fact RICO Enterprise?” 16 U. PA. J. BUS. L. 973 (2014) (lead article) (SSRN “Top Ten Download,” February 2014).
- “Institutionalizing Exemplary Narratives: Stories as Models for and Movers of Law,” 25 LAW & LITERATURE 337 (2013) (peer reviewed) (U of California P).
- “Fictitious Fraud: Economics and the Presumption of Reliance,” 9 INT’L J. L. IN CONTEXT 506 (2013) (peer reviewed) (Cambridge UP).
- “A Question of Taste: Touchstones for Determining the Certifiability of Class-wide Claims for Declaratory and Injunctive Relief under Rule 23 of The Federal Rules of Civil Procedure,” 17 SUFFOLK J. TRIAL & APP. ADVOC. 1 (2012) (lead article).
- “Clarity and Confusion: RICO’s Recent Trips to the United States Supreme Court,” 85 TULANE L. REV. 677 (2011).
- “Framing Franchise Antitrust Litigation: The Legacy of *Kodak* and *Queen City Pizza*,” 40 SW. L. REV. 247 (2010) (lead article).
- “How Lawyers (Come to) See the World: A Narrative Theory of Legal Pedagogy,” 56 LOY. L. REV. 619 (2010).
- “A Hole in Need of Mending: Copyright and the Individual Marking of Advertisements Published in Collective Works,” 13 SMU SCI. & TECH. L. REV. 1 (2009) (lead article).
- “A Question of Fairness: Should *Noerr-Pennington* Immunity Extend to Conduct in International Commercial Arbitration?” 19 AM. REV. INT’L ARB. 211 (2008) (Columbia U/Parker School).
- “Crimes That Count Twice: A Reexamination of RICO’s Nexus Requirements Under 18 U.S.C. § 1962(c) and 1964(c),” 32 VT. L. REV. 171 (2007).
- “Only One Kick at the Cat: A Contextual Rubric for Evaluating *Res Judicata* and Collateral Estoppel in International Commercial Arbitration,” 18 FLA. J. INT’L L. 549 (2006).
- “Rethinking Civil RICO: The Vexing Problem of Causation in Fraud-Based Claims under 18 U.S.C. § 1962(c),” 39 U.S.F. L. REV. 319 (2005) (Burton Award winner – Library of Congress/Law Library of Congress).
- “Reforming the Unbargained Contract: Avoiding Bondholder Claims for Surprise Par Calls,” 55 BUS. LAW. 317 (with Robert S. Blanc) (1999).

### **Bar Journals and Other Periodicals**

- “The Walgreens-Rite Aid Combination: Act Two,” [Law360](#) (July 14, 2017)
- “Law Schools and Law Firms: Two Cultures Seeking Common Ground,” [Law360](#) (March 21, 2017).
- “Strangest Day in Court: The 1995 Oklahoma City Bombing,” [Law360](#) (December 16, 2016).
- “Politics and the AT&T-Time Warner Merger,” [Law360](#) (November 7, 2016).
- “Antitrust Regulators Didn’t Let Beer Merger Go Flat,” [Law360](#) (October 11, 2016).



- “Why Verizon-Yahoo Deal is Raising Privacy Concerns,” [Law360](#) (August 11, 2016).
- “The Bayer-Monsanto Deal through and Antitrust Lens,” [Law360](#) (June 13, 2016).
- “Megamergers under the Microscope,” [Law360](#) (May 24, 2016).
- “Antitrust Claim against Uber Illuminates Perilous Intersection,” TEX. LAWYER (April 12, 2016).
- “‘No Unblemished Truth, No Untainted Justice’”: A Review of James Robertson’s *The Professor of Truth*,” 6 SIGNET 34 (2014).
- “The Road to Hell Is Paved with ‘Particular Intentions’: A Review of Marianne Wesson’s *A Death at Crooked Creek*,” 17 GREEN BAG 2D 467 (2014).
- “Corporate Governance Problems Facing the Energy Sector,” OIL & GAS FIN. J. (July 19, 2012) (with Craig Florence).
- “Letter from America,” SIGNET (regular column, 2011-present) ([featured column](#)).
- “Lessons for Supply Chain Businesses: Antitrust Implications of Recent Price-Squeeze Decision by the U.S. Supreme Court,” 16 GSA FORUM No. 2, 32 (June 2009).
- “Antitrust Roundtable,” 22 TEX. LAWYER No. 42 at 1A (Dec. 18, 2006).
- “Hall Center Reaches Out to Community,” KU COLLEGIAN (Spring 2005).
- “Lawsuit over Grades Leaves Little Room for Learning,” FT. WORTH BUSINESS PRESS (Dec. 5, 2003).
- “Annual RICO Update,” TEX. BUS. LITIG. (2002-2010).
- “Network Industry Markets: A Brief Look at the Implications of *U.S. v. Visa*,” 65 TEX. BAR J., No. 1 at 30 (2002).
- “Parsing Civil RICO: An Outline of Pleading and Proof Requirements for Fraud-Based Claims Under 18 U.S.C. § 1964(c),” TEX. BUS. LITIG. (Fall 2001).
- “Who Is An Expert? Supreme Court Case Redefines the Rules,” 1 LEGAL PAD 3 (1994) (co-authored with Harry A. Woods, Jr.).
- Shipley, *et al.* eds., OKLAHOMA ENVIRONMENTAL LAW HANDBOOK (copy editor) (1992).

### **PRESENTATIONS**

- Invited Speaker, “The Supreme Court as a Rule-Making Body,” The Hockaday School (May 8, 2017).
- Presentation, “Legal Ethics and Liability Issues for University General Counsel,” The Texas A&M University System, Office of General Counsel (April 13, 2017).
- Workshop Faculty Member, “Endings and Beginnings,” The Federal Reserve Bank of Dallas Leadership Program (April 6, 2016).

- Invited Speaker, "Fictions and Models: Exemplary Narratives as Law," Association for the Study of Law, Culture and the Humanities ([conference page](#)), University of Connecticut Law School (April 1-2, 2013).
- Invited Speaker, "Compassion and the Rhetoric of Rules," World Congress of the International Association for the Philosophy of Law and Social Philosophy ([conference page](#); [workshop page](#)), Georgetown University (July 27-August 1, 2015).
- Invited Speaker, "Truth in Context: Evidence as a Social Construct," Association for the Study of Law, Culture and the Humanities, University of Virginia (March 10-11, 2014).
- Invited Speaker, "The Lawyer as Virtuous Actor: Is that Still Possible?," Lawyering and Psychology: Coalescing the Field, UNLV/Boyd School of Law (February 21-22, 2014). Watch [here](#).
- Invited Speaker, "Navigating Multiple Fiduciary Duties: Watch Out for the Rocks!," Texas General Counsel Forum, San Antonio (November 15, 2013).
- Moderator, "Understanding Tragedy, The Impact of the JFK Assassination on Dallas," Politics Track, featuring Stephen Carter, Sen. Kay Bailey Hutchison, Mayor Mike Rawlings, and Hon. Margaret Spellings (November 2, 2013).
- Invited Speaker, "Law-as-Performance," Association for the Study of Law, Culture and the Humanities, University of London/Birkbeck College (March 22-23, 2013).
- Invited Speaker, "Legal Fictions," World Congress of the International Association for the Philosophy of Law and Social Philosophy ([conference page](#)), Goethe University, Frankfurt (August 15-20, 2011).
- Panelist, "The Poetry of Emily Dickinson," McKinney Avenue Contemporary (May 25, 2011).
- Invited Speaker, "What Is a Virtuous Lawyer?" presentation at the Meaning of Virtue in the Professions lecture series, Dallas Institute/SMU (February 1, 2011).
- Panelist/Presenter, "Martin Luther King's 'Letter from Birmingham Jail' and the Law-Morality Problem," at Just and Unjust Laws: A Civil Rights Discussion, Dallas Institute (December 6, 2010).
- Invited Speaker, "Truth in Context: Thinking about Law as and of Environment," Fellows Symposium, Dallas Institute (November 7, 2009).
- Invited Speaker, "Truth in Context: Sketching a (New) Historicist Legal Pedagogy," Beyond Text in Legal Education, University of Edinburgh (June 20-21, 2009).
- Panelist, "Humanistic Critiques of Legal Education," Association for the Study of Law, Culture and the Humanities, Suffolk University (April 3-4, 2009).
- Panelist, "Are We Converging Yet?," Competition Law: A View from Both Sides of the Atlantic, WS Society, Edinburgh (October 13, 2008).
- Invited Speaker, "We, the People – Beyond November 4th," Dallas Institute (November 19, 2008).

Moderator, “The Future of Race, Class, and the Law,” one of four tracks at the Dallas Festival of Ideas, featuring David Brooks, Nicholas Kristof, Elizabeth Kolbert, Maya Wiley, and Michael Beschloss (November 8, 2008).

Distinguished Practitioner in Residence, “Essential Elements of an Effective Antitrust Compliance Program,” “How Stories Become Legal Rules: A Kansas Case,” “A Narrative Theory of Legal Pedagogy,” and “From Law School to Law Practice: Transitional Strategies,” Washburn University School of Law (April 3, 2008).

Invited Speaker, “How Lawyers (Come to) See the World: A Narrative Theory of Legal Pedagogy,” International Conference on the Future of Legal Education, Georgia State University College of Law (February 20-24, 2008).

Invited Speaker, “Law, Humanities, and the Future of the Legal Profession,” Hall Center for the Humanities, University of Kansas (January 9, 2008).

Invited Speaker, “Bellerophon Taming Pegasus: Does Law’s Tie Bind or Strangle?,” Fellows Symposium, Dallas Institute (December 1, 2007).

Seminar Leader, “Institutionalizing Narratives as Legal Rules: The Case of Evidence at Trial,” University of Edinburgh Legal Theory Reading Group (November 21, 2007).

Invited Speaker, “Measure for Measure: The Rule of Law and the Possibility of Justice,” Dallas Institute Summer Teachers Institute (July 12, 2007).

Seminar Leader, “Institutionalizing Narratives: A Transformational Theory of Law and Democracy,” Institute for Advanced Studies in the Humanities, University of Edinburgh (May 2, 2007).

Invited Speaker, “A Clash of Pieties: Antigone and the Roles of Law and Family,” Fellows Symposium, Dallas Institute (November 4, 2006).

Faculty Member, “Turning Great Expectations into Reality,” a presentation at the Chief Recruitment & Professional Development Officers’ Forum presented by American Lawyer (April 3, 2006).

Invited Speaker, “Navigating a Course from Practice to Professional Development: Watch Out for the Rocks!,” a presentation at the Annual NALP & ALI-ABA Professional Development Institute (December 1-2, 2005).

Invited Speaker, “Emerging Issues in RICO,” CLE presentation at Texas State Bar Antitrust and Business Litigation Section Annual Seminar (paper co-authored with Sam Joyner) (2005-2006).

Faculty Member, “Law, Literature and the Possibility of Democracy,” a presentation at the Appellate Judges Summit, the inaugural conference of the Appellate Judges Education Institute (November 16, 2004).

Invited Speaker, “Paving the Road to Democracy: The Humanities as a Foundation,” presentation at The Road to Democracy Conference, Dallas Institute/University of Kansas (September 18, 2004).

Invited Speaker, “Medical and Legal Frontiers: Cloning, Transplants, and the Question of Personal Identity,” presentation at Medicine and the City lecture series, Dallas Institute/UT Southwestern Medical Center (May 12, 2004).

Invited Speaker, “Reason, Objectivity and the Law,” a presentation at The Enlightenment and its Discontents Colloquium featuring Peter Gay, University of Kansas (September 5, 2003).

Invited Speaker, “Ethical Issues in Class Actions: The Putative Class Member Problem,” CLE presentation at Texas State Bar Antitrust and Business Litigation Section Annual Seminar (paper co-authored with Rachel Schwartz) (April 2002).

"Antitrust in the e-Commerce Economy," guest lectures at SMU/Dedman School of Law (2001-2016).

“Legal Writing and Critical Thinking,” in-house CLE presentations with Professor Amy Devitt (2000-2006).

Presentation to the Committee on Trust Indentures and Indenture Trustees at the Annual Meeting of the ABA Section of Business Law (co-presented with Robert S. Blanc) (July 8, 2000).

“Ethics Jeopardy,” in-house CLE panel (1999).

“Legal Aspects of Mergers and Acquisitions,” guest lectures at SMU/Cox School of Business (1997-1999).

Moderator/panelist/invited speaker at The Dallas Institute of Humanities & Culture’s semi-annual Law & Imagination conferences (1997-2000). Presentations (all pertain to ethics and rhetoric) included “Duties, Rights, and the Meaning of Human Freedom under American Constitutionalism” (April 28-29, 2000); “How Lawyers Correct for the Democratic ‘Scorn of Forms’: de Tocqueville’s Democracy in America” (October 21-22, 1999).

“The Guest-Innkeeper Relationship in Oklahoma,” presented to seminar on Hospitality Law in Oklahoma (March 17-18, 1994).

“Choosing a Method of Doing Business Abroad: Agents, Distributors, Branches, Subsidiaries and Joint Ventures Considered,” “Incoterms,” “Sales of Goods: A Comparison of the UCC and the CISG,” and “International Taxation,” presented to workshop on Legal Aspects of International Trade (Oklahoma District Export Council, February 16, 1994).

“Problems in Ethics: Recent Developments,” in-house CLE presentation (1994).

“Peremptory Challenges: Class-Based Limits,” in-house CLE presentation (1993).

“Real Estate Lending Standards: New Federal Regulations,” in-house CLE presentation (1993).

### **LANGUAGES**

Reading proficiency in French; limited reading knowledge of Latin and Old English.

### **HONORS**

Member, American Law Institute (nominated 2007; elected 2008)

Inaugural Member, Texas Million Dollar Verdict Hall of Fame (2013) (for *Longview Energy Co. v. The Huff Energy Fund L.P., et al.*)

Nominated for Membership, American Bar Foundation (2011)

Featured, GCR 100 for Competition Law (Texas), Global Competition Review (2014-present)

Recognized, America's Leading Business Lawyers in Antitrust (Texas), Chambers & Partners, USA (2007-present)

Recognized, The Best Lawyers in America in Antitrust (2016-present)

Recognized, Leading Lawyers in Competition Law (Texas), Who's Who Legal (2007-10)

Recognized, Antitrust Litigation, Texas Super Lawyers (2010-2013)

Nominated for and Awarded Faculty Fellowship, Institute for Advanced Studies in the Humanities, University of Edinburgh (2006-07)

Associate (International) Member, The Society of Writers to Her Majesty's Signet (nominated and elected 2006)

Recipient, Burton Award for Legal Achievement (Library of Congress/Law Library of Congress) (2005)

Fellow, Dallas Institute of Humanities & Culture (inducted 2005)

Subject of SIGNET MAGAZINE "Special Profile" (Summer, 2015)

Subject of DALLAS MORNING NEWS "High Profile" ("Answering Life's Big Questions," June 27, 2004)

D MAGAZINE "Best of Big D" Award (for The Writers Studio) (2004)

Fellow, Dallas Bar Foundation

Gardere Wynne Sewell LLP "Blue Chip" Award (for professional development work)

Recognition of Achievement in International & Foreign Law with Honors (Columbia)

Dorothy Haglund Prize for an Outstanding Dissertation (KU's highest award for a dissertation)

Finalist and Reserve Candidate, Fulbright EU Law Fellowship, 1995

Multiple Kansas Press Association Awards for Best Retail Ad and Best Small Campaign

### **COMMUNITY SERVICE**

The Hiatt Prize in the Humanities (largest humanities prize in the US)—Member, Advisory Board & 2010, 2015 Juries ([2015 Program](#))

Greater Dallas Business Ethics Award—Member, Judges Panel (2015-present)

The Writer's Garret—General Counsel and Past-Chair, Board of Directors

Dallas Institute's thirtieth anniversary celebration (2010-11)–Member, Steering Committee

Former Advisor to ¡TEX! Magazine, the then-largest circulating literary magazine in the country

Highland Park Literary Festival–Former Member, Advisory Board

Dallas Institute's twentieth anniversary celebration honoring Dr. Louise Cowan and featuring Mrs. Laura Bush and Mrs. Lynne Cheney (2001)–Member, Steering Committee

Event Chair, 2000 Jingle Bell Run

Oklahoma Bombing Disaster Volunteer (1995)

Downtown Lawrence (KS) Association, Former Director

### **BAR SERVICE**

Antitrust and Business Litigation Section of the State Bar of Texas–Chair, Section Council, 2007-08

ABA Legal Education Section–Former Member, Professionalism Committee; Former Member, CLE Committee; Qualified Team Member, Law School Site Evaluations

ABA Antitrust Section—Member, Competition Torts (f/k/a RICO) Committee

SMU Dedman School of Law–Host Family Program, Mock Interview Program, and Client Counseling and Mock Trial Judge

Judge, Finals of ABA Negotiation Competition (2000)

Moderator, Oklahoma Roundtable on International Trade with ASEAN Ambassadors

### **FIRM SERVICE**

Chair, Antitrust & Trade Regulation Practice, 2013-Present.

Chair, Gardere Forum, 2005-2008.

Chair, Professional Development Committee, 2000-2008.

Member, Strategic Plan Implementation Committee, 2003-06.

Member, Diversity Committee, 2004-2008.

Member, Hiring Committee, 2002-04.

Member, Firm Growth Subcommittee, 1997.

Summer Associate Mentor, 1996-2006, 2008.

Associate Mentor, 2000-2008.

Member, Ethics Committee (Crowe & Dunlevy), 1992-95.

**MEMBERSHIPS & AFFILIATIONS**

American, Texas, and Oklahoma Bar Associations

United States Supreme Court; the United States Court of Appeals for the Fifth Circuit; multiple  
United States District Courts

Antitrust Section of the American Bar Association

Antitrust Sections of Texas and Dallas Bar Associations

University of Kansas Alumni Association