

Richard L. Hathaway

DIRECTOR

"I love what I do. Helping my clients solve tough problems is my passion. Through my many years of aggressive advocacy in complex commercial litigation, I have had the pleasure of taking care of and winning on behalf of my clients. That's what drives me. To pursue or protect my clients' interests, leaving no stone unturned has resulted in significant wins for my clients. Whether in a deposition, hearing, or in trial, my clients enjoy my focused unwavering attention to detail and vision for success."

Richard Hathaway is a complex commercial trial lawyer with significant experience in federal and state courts as well as in arbitration. Recent recipient of the prestigious "America's Top 100 Bet-the-Company Litigators", Richard represents a wide range of clients, from individuals and small proprietors to large corporate entities and Fortune 500 companies.

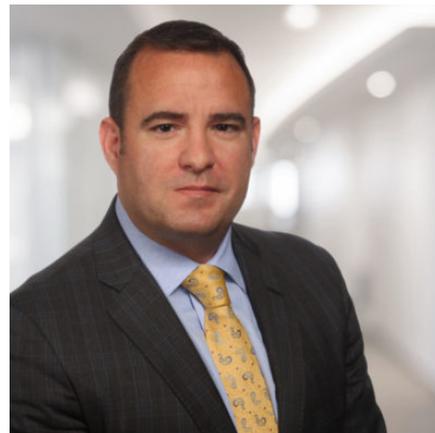
With a long track record of guiding clients through complex litigation, Richard is known for his strategic thinking and strong advocacy skills. Companies turn to Richard to help them face make-or-break, high-stakes cases. He works hard to gain an in-depth understanding of his clients, their operations, and all the issues involved in a case. Sometimes donning boots and a hardhat, he investigates matters to understand the most nuanced details necessary to win the dispute. He accomplishes this while always keeping an eye on his clients' bottom line.

In the courtroom or around the negotiation table, Richard reads people very well, understands each and every angle of a case, and adroitly applies his carefully crafted, often creative, legal strategy to best position his client and achieve the most optimal outcome possible.

In addition to large complex commercial litigation, Richard handles matters related to non-compete enforcement and defense, Texas Uniform Trade Secrets Act, construction litigation, real estate litigation (brokerage and landlord/tenant), energy industry litigation, health law litigation, emergency relief, restraining orders and injunctive relief, partnership disputes, Texas Uniform Fraudulent Transfer Act.

Richard particularly enjoys high-speed emergency litigation and finds it gratifying to obtain temporary restraining orders and injunctions to help protect his clients' intellectual property. His ability to see the road ahead allows Richard and his team to respond rapidly to his clients' needs. As Richard puts it, his team has the process of combatting trade secret theft "down to a science."

Away from the Office



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LAW SCHOOL

St. Mary's University
J.D., 2001

UNDERGRADUATE

University of Texas at San Antonio

Richard likes to give back to the legal community by mentoring young lawyers through the Dallas Bar Association and judging mock trials. For relaxation, he enjoys running, attending concerts and events, fishing and socializing with friends old and new.

Practice Focus

Complex Commercial Litigation, Construction, Employment, Large Loss Subrogation, Litigation, Energy, Oil and Gas, Probate, Fiduciary and Trusts

Honors

- Texas Rising Stars, Thomson Reuters (2009-2011)

Admissions

- State Bar of Texas, 2001

United States District Court of Northern District of Texas.

United States District Court of Southern District of Texas.

United States District Court of Eastern District of Texas.

United States District Court Western District of Texas.

Associations

- Dallas Bar Association
- Litigation Section, State Bar of Texas
- Construction Section, State Bar of Texas

Publications

- May 2020: Returning to Work in the Shadow of COVID-19: Resources and Suggested Approaches for Employers (Co-Authored)
- April 2020: Treatment of Independent Contractors Under the Paycheck Protection Program
- March 2020: Three Key Considerations When Applying for the Paycheck Protection Program
- 2014: Presentation: Texas Non-Compete Agreements and Workplace Agreements.
- November 2012: Litigation Alert: Insurance Law Update: Fifth Circuit certifies to the Supreme Court of Texas: Is the contractual liability exclusion triggered by a general contractor's agreement to "perform its work in a good and workmanlike manner?"

Frequent Author on Law in the Workplace Blog:

- Texas Physician Non-compete Agreements: Four Common Flaws that Make them Unenforceable
- Three Reasons You May Want Your Employees to Sign a Non-Compete
- Trade Secrets: Three Ways you May be Unwittingly Sharing Yours
- Three of the most common misconceptions about enforcing Texas non-compete agreements

- *Second Circuit disregards DOL Internship Test and adopts the Primary Beneficiary Test For-Profit Employers*
- *Fast food non-compete agreements?*
- *Stock Incentive Plans may allow Texas Employers to Recoup Bonus Pay from Employees that Leave and Work for a Competitor*