



## Chris Schwegmann, PARTNER

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There are litigators, and then there are trial lawyers. Chris Schwegmann is a trial lawyer through and through. He handles the tough cases that keep clients up at night and can't be resolved with cookie-cutter solutions. He tackles legal problems with out-of-the-box thinking and common sense. And he knows his way around a courtroom.

**After nearly 20 years of winning "unwinnable" cases,** Chris has made a name for himself as one of the go-to trial lawyers in Texas for business disputes, with an emphasis on claims involving intellectual property. He also tries trademark and copyright infringement, false advertising, antitrust, and other business cases. His clients include software, technology, manufacturing, professional services, agricultural, cosmetics, and health care companies, among others.

Chris began his legal career as an associate at Cravath, Swaine & Moore LLP in New York City, one of the premier law firms in the country. He returned to Texas and joined LPHS in 2005, was elected partner in 2008, and became a name partner in 2020. Chris previously served as the Firm's Hiring Partner, and currently serves as its General Counsel.

A San Antonio native, Chris received undergraduate degrees in English and Philosophy, **summa cum laude**, from Southern Methodist University in 1997, followed by a year-long Coro Fellowship in public affairs in St. Louis. He earned his law degree, **cum laude**, from New York University School of Law in 2001. After law school, he clerked for the Honorable Joe Kendall and the Honorable Sam A. Lindsay of the United States District Court for the Northern District of Texas. Chris is licensed in Texas and New York.

Chris lives in Oak Cliff near downtown Dallas with his wife Shelbi, who is also a lawyer, their three kids, and an ill-behaved rescue dog.

### HONORS & AWARDS

- Recognized as a "Top Lawyer" in DFW by *Chambers & Partners USA*, 2021
- "Rising Star" in business litigation by *Texas Lawyer*, 2008-2011, 2013
- "Super Lawyer" in business litigation and intellectual property by *Texas Lawyer*, 2013-2021
- "Best Lawyers in Dallas: Intellectual Property" by *D Magazine*, 2015-2017, 2020
- Recognized as "Litigation Future Star" by *Benchmark Litigation*, 2016-2020 and "Litigation Star," 2021-2022
- Blues, Bandits & BBQ Competition, Oak Cliff Fantasy Football League Team
  - 6th Place Chicken, 2018
  - 1st Place Chicken, 2019

### PROFESSIONAL & COMMUNITY INVOLVEMENT

- Barbara M. G. Lynn American Inn of Court
  - Barrister, 2013-2016
  - Master, 2019-present
- SMU Dedman College of Humanities & Sciences
  - Executive Board, Member, 2015-present
  - Dean's Research Council, Member, 2015-present
- Patrick E. Higginbotham American Inn of Court, Associate, 2006-2007
- Dallas Bar Association, Member, 2005-present
- Dallas Association of Young Lawyers Foundation, Life Fellow
- The Kessler School Parent Teacher Organization, Treasurer, 2020-2021

## REPRESENTATIVE MATTERS

- Represents **Mary Kay Inc.** in lawsuits all over the country involving trademark infringement, copyright infringement, and false advertising. Highlights include:
  - Winning a two-week trademark infringement trial in Dallas federal court, with a finding that defendants' conduct was willful, disgorging their profits, and awarding attorneys' fees to Mary Kay.
  - Winning a week-long Dallas County jury trial and obtaining attorneys' fees in a case against a software company hired by Mary Kay to develop a customer support telephone system.
  - Obtaining injunctive relief to shut down numerous unauthorized retailers of Mary Kay products.
  - Successfully battling Mary Kay's competitors – including Michael Kors, Estee Lauder, Benefit Cosmetics, and Ulta Beauty – over the use of Mary Kay's trademarks.
- Defended **GE Healthcare** in antitrust litigation brought by 17 plaintiffs from around the country seeking over \$130 million in damages regarding anesthesia machines manufactured and serviced by GE. Following a two-week jury trial in the Marshall Division of the Eastern District of Texas, the court granted GE's motion for a new trial.
- Won motion to dismiss for **Time Warner Cable** in a patent infringement case in the Waco Division of the Western District of Texas on Alice grounds. The judgment was upheld on appeal by the Federal Circuit.
- Represented **Community Hospital Corporation** in various litigation matters nationwide, including litigation in bankruptcy court where the bankruptcy trustee for an East Texas hospital sought damages from CHC in excess of \$40 million. Chris defeated most of the trustee's claims on a motion to dismiss and settled the case for less than litigation costs.
- Won motion to dismiss for **major pharmaceutical company** in the Texarkana Division of the Eastern District of Texas in a False Claims Act case alleging hundreds of millions of dollars in damages related to an alleged "kickback" scheme involving widely used medications for diabetes care.
- Obtained summary judgment in Dallas federal court for **Sara Lee** and The J.M. Smucker Company in a case seeking more than \$100 million in damages that alleged breach of contract, fraud, and trade secret misappropriation. Secured judgment on appeal to the Fifth Circuit.
- Won injunctive relief in Dallas state court for a **national skin care company** and represented it in the resulting unfair-competition lawsuit against a competitor who raided over 60 brand representatives in a single weekend in violation of contractual covenants not to compete.
- Represented a **medical imaging company** in a multi-million-dollar, bet-the-company arbitration involving a material-adverse-effect clause in an asset purchase agreement. After a two-week arbitration, obtained a take-nothing judgment in favor of his client from a three-judge panel of arbitrators.
- Defended a **printing company** in a landlord-tenant dispute in Dallas state court against a landlord claiming substantial damages. After a week-long jury trial, Chris obtained a take-nothing judgment against the landlord and recovered damages on a counterclaim and all of his client's attorneys' fees.
- Retained by **GE Capital** in a fraudulent transfer case against a national bank. After a two-week jury trial in Dallas federal court, the jury unwound the entire transaction and awarded millions of dollars to GE Capital.
- Recovered a **Gulf Stream V private jet** for **GE Capital** from the Democratic Republic of the Congo after it was seized by local authorities. Chris later represented GE Capital in litigation in Dallas County against the guarantor to recover a deficiency judgment related to the same jet. After a bench trial, Chris secured a substantial verdict for GE Capital.
- Represented **Sunset Produce and Worldwide Plastics** in trademark and design patent litigation in Dallas federal court involving package design for two of the largest tomato growers and distributors in North America. Obtained favorable settlement for his clients.
- Represented **Rent-A-Center** in trademark and false advertising litigation against its primary competitor, Aarons Rents, Inc. The case settled favorably for Rent A Center days after Chris discovered a critical math error during the deposition of Aarons Rents' expert witness.
- Represented the majority owner of a **global direct sales company** in a breach of contract, breach of fiduciary duty, fraud, and trademark infringement case brought by the minority owner and its affiliates. Defeated request for injunctive relief after lengthy evidential hearing in Dallas federal court.

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- Represented **All American Pharmaceutical & Natural Foods Corporation** in three different matters regarding nutritional supplements: trademark infringement litigation in Dallas federal court against a local distributor, and two separate multi-party patent litigation cases in the Central District of California. All matters were settled favorably for Chris's clients.
- Represented **Wireless Xcessories Group, Inc.** in trademark infringement litigation against a major local wireless provider.
- Represented a **Chilean manufacturing company** in trade secret litigation involving copper mining technology.
- Represented **Archon Architecture** in a trademark claim by Archon Construction in the San Antonio division of the Western District of Texas. The court denied injunctive for Archon Construction following an evidentiary hearing with multiple witnesses, and the case settled favorably for Chris's client soon after.
- Represented **Florida Power & Light Company** in a bench trial in San Angelo state court against landowners seeking millions of dollars in additional payments under power line easement contracts. Following a mixed judgment from the trial court, Chris obtained a complete victory for his client in the Austin Court of Appeals.