



## Katherine D. Hoke

Principal/Attorney



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### Biography

Kathy Hoke has been with Shields Legal for most of her professional career and serves as the firm's Co-Managing Shareholder. Kathy is a deliberate, disciplined, and analytical attorney with broad and deep experience representing privately owned companies and entrepreneurs across diverse industries in complex business disputes and litigation arising out of contracts, real estate transactions, commercial loans, construction projects, insurance claims, and employment matters.

Litigation is time consuming, expensive, and risky. Known as "RCG" (Reality Check Girl), Kathy believes that each client's legal matter ultimately is a business problem for which there is a practical solution. Kathy works tirelessly with each client to (i) understand the root cause of the client's problem, (ii) ascertain the client's business objective, (iii) determine the obstacles the client faces, (iv) propose available options, and (v) implement a plan to achieve a practical and realistic result that protects the client's business and interests. Through an understanding of the client's business and business objectives, and communication and collaboration with the client during the entire litigation process, Kathy is able to deliver successful outcomes for clients in a cost-effective manner.

### Education

- J.D., Texas Tech University School of Law
- B.A., French, The University of Connecticut at Storrs  
Phi Beta Kappa, *magna cum laude*
- Diplôme Supérieur d'Etudes Françaises, Université de Rouen

### Admissions

- State Bar of Texas
- United States District Court, Northern District of Texas
- United States District Court, Eastern District of Texas
- United States District Court, Southern District of Texas
- United States District Court, Western District of Texas
- United States Bankruptcy Court, Northern District of Texas
- United States Bankruptcy Court, Eastern District of Texas

## Practice Areas

- Arbitration
- Bankruptcy & Creditor's Rights
- Bet the Company Litigation
- Complex Commercial Litigation
- Conflict Resolution
- Construction
- Cybersecurity & Privacy
- Employment Law
- Fiduciary Duty Litigation
- Insurance Litigation
- Internal Investigations
- Outside General Counsel
- Real Estate Litigation

## Representative Work

### Private Equity Companies

- Resolution of \$200MM defamation and business disparagement lawsuit against IAQ entrepreneur
- Representation of German investors in connection with bankruptcy of failed real estate development project
- Resolution of minority shareholder claims
- Defense of contractual audit dispute for logistics company
- Pursuit of trade secret misappropriation claims against departing employee of revenue cycle management company
- Monitor insurance defense counsel in suit involving multiple deaths resulting from apartment building fire brought against private equity investor/owner
- Outside general counsel services for office co-working company
- Defense of officers of trucking company indirectly implicated in Federal criminal prosecution
- Resolution of contract claims brought against systems manufacturer
- Defense of energy company in arbitration regarding SOC 2 audit
- Obtain temporary restraining order and temporary injunction to prevent competitor's effort to procure cancelation of company's vehicle service contracts
- Resolution of fraud claims against officers of medical device company
- Renegotiation of statement of work for e-recycling company
- Resolution of multi-million-dollar post-judgment discovery and collection proceeding against guarantor of shopping center debt
- Defense of trustee of family office in fiduciary duty litigation brought by siblings

### Lender Representation

- Pursuit of turnover action and judgment enforcement
- Defense of lender liability claims
- Pursuit of recovery of assets out of bankruptcy court
- Pursuit of post-foreclosure deficiency actions

## **Luxury Residential Builder Representation**

- Defense of construction defect claims
- Pursuit of claims against subcontractors
- Defense of lien removal action
- Pursuit of claims for payment
- Resolution of builder warranty claims
- Management of third-party insurance claims
- HOA disputes
- Defense and resolution of employment claims
- Resolution of contract dispute with developer regarding net profits

## **Healthcare Companies**

- Investigation and pursuit of claims against former officer and director
- Resolution of earnout dispute following sale of company assets
- Defense of fraud claims against company ownership
- Pursuit of claims to enforce third party payment agreements
- Actions against competitors regarding unfair advertising practices
- Draft updates to company custodian of records affidavit
- Responses to deposition subpoenas and records requests
- Obtain temporary restraining order and temporary injunction to prevent theft of company intellectual property by former officer
- Monitor insurance defense counsel in death case arising from drunk driving incident involving company employee

## **Real Estate Broker Representation**

- Professional liability defense of commercial and residential brokers
- Defense of complaints to Texas Real Estate Commission
- Risk management training for brokers and agents
- Assist agents in quickly resolving contract negotiation issues
- Draft updates to company sales agent agreement
- Draft updates to listing and buyer representation agreements
- Employment claims and disputes
- Third party liability insurance matters
- Pursuit of interference claims against competing brokerage
- Disputes regarding brokerage commissions

## **Affiliations**

- State Bar of Texas, Computer & Technology Section
- Communities Foundation of Texas For Business

## **Hands On Volunteer Service**

- Frisco Family Services
- North Texas Food Bank
- Bonton Farms
- Hunger Busters
- Heart House Dallas
- Minnie's Food Pantry

- Trinity River Clean-Up

### **Entrepreneurs for North Texas**

- Engagement Captain of the Year, 2014
- Member, Freedom Day Steering Committee

### **IMPACT I 365**

- Implemented internal program to encourage employees to make an impact through hands-on volunteer service, financial gifts, and everyday ways to sustain our planet