



BELLNUNNALLY

Beverly A. Whitley

Partner

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BEVERLY CAN HANDLE EVERY ASPECT OF A LITIGATION MATTER FROM THE DEMAND LETTER THROUGH ENFORCEMENT OF A JUDGMENT. SHE LEADS THE FIRM'S APPELLATE PRACTICE AND IS A VETERAN TRIAL LAWYER WITH THREE DECADES OF EXPERIENCE. SHE HAS TRIED A WIDE RANGE OF BUSINESS AND REAL ESTATE CASES AND HANDLED APPEALS AT ALL LEVELS IN STATE AND FEDERAL COURT.

Beverly has extensive experience handling injunctions, trials and appeals in cases involving noncompete and nonsolicitation agreements. She successfully argued a landmark noncompete case before the Texas Supreme Court. She regularly advises both employers and employees regarding the terms of noncompetition agreements and related departing employee issues, including anti-poaching covenants and confidentiality obligations.

Beverly frequently handles TROs and injunction cases and appeals. She has tried partnership disputes, land use and lease matters, and other contract disputes, as well as bankruptcy adversary proceedings. She also handles multiple charge conferences for the firm's jury docket every year. Among Beverly's most notable trial wins is a judgment against the City of Dallas for blocking access to businesses on Main Street during a downtown street renovation project.

Representative Experience

- Defeated a request for a temporary injunction by which a national commercial real estate firm sought to prevent former brokers from working for a competitor, then won a summary judgment defeating the real estate firm's claims for damages.
- Obtained a seven-figure summary judgment enforcing a nonsolicitation agreement, then successfully enforced the judgment after prevailing in the Dallas Court of Appeals and Texas Supreme Court.
- Handled simultaneous federal and state injunction proceedings in companion cases filed to protect her client's intellectual property.

- Defeated a temporary restraining order sought to halt construction of a restaurant, saving the client significant costs that would have resulted from delay in the construction.
- Obtained a temporary restraining order, a temporary injunction and a permanent injunction blocking public use of an agricultural railroad crossing and successfully defended the temporary injunction in an interlocutory appeal.
- In a hotly contested battle for control of a local cinema, obtained an order dissolving the opponent's wrongfully obtained temporary restraining order and obtained a temporary restraining order and subsequent temporary injunction preventing the opponent from disrupting the client's control of the cinema.
- Successfully prosecuted a creditor's objection to discharge in bankruptcy court based on false oaths, failure to maintain records and failure to explain deficiency of assets.
- Won a judgment against the City of Dallas for blocking access to businesses on Main Street during a downtown street renovation project.
- Obtained a judgment ordering a tax refund and defended a subsequent appeal in the first reported decision allowing a taxpayer to collect an ad valorem tax refund under Section 31.11 of the Texas Tax Code.

For more information on Beverly's experience, see her [list of opinions](#).

Noteworthy

- Selected by attorney peers for inclusion in *The Best Lawyers in America*®, 2016–2025
- Named one of the "Litigation Stars" in the *Benchmark Litigation Guide*, 2021–2025
- Named one of the "Best Lawyers in Dallas," *D Magazine*, 2018 and 2021
- Selected for inclusion in *Texas Super Lawyers*®, Thomson Reuters, 2020–2024
- Named a "Top Women Attorney in Texas," *Texas Super Lawyers*®, 2021–2022
- Featured in *Best Lawyers*® *Texas Best Lawyers*, 2020
- AV® Preeminent Peer Review Rated in Martindale-Hubbell. AV®, AV Preeminent®, Martindale-Hubbell DistinguishedSM and Martindale-Hubbell NotableSM are Certification Marks used under license in accordance with the Martindale-Hubbell® certification procedures, standards and policies.

Activities and Memberships

- Dallas Bar Association
 - Fee Disputes Committee; Chair, 2010–2016; Panel Chair (presiding arbitrator for more than two dozen disputes), 2007–present
- Louisiana State University Alumni Association
 - Member
- LSU Law Center Alumni Association
 - Member
- The Texas Bar College
 - Member
- Zeta Tau Alpha fraternity
 - Member

Publications

- "Texas Federal Court Shuts Down FTC Noncompete Rule (Well, Kind of...)" Bell Nunnally Client Alert, co-author; July 5, 2024.

Credentials

Education

- JD, Louisiana State University, Paul M. Hebert Law Center, 1990
- BA, English, Louisiana State University, 1986

Admissions

- Texas
- Louisiana
- Supreme Court of the United States



- United States Court of Appeals for the Federal, Second, Fifth and Eighth Circuits
- United States District Courts for the Northern, Southern, Eastern and Western Districts of Texas
- United States District Courts for the Eastern, Middle and Western Districts of Louisiana