

Kristopher D. Hill

Partner

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COMPETITIVE BY NATURE, KRIS BRINGS AN ELEVATED LEVEL OF PASSION TO HIS CLIENTS' HIGH-STAKES BUSINESS AND EMPLOYMENT DISPUTES. HE EMBRACES HARD WORK AND BRINGS DEDICATION AND CREATIVITY TO ASSERT HIS CLIENTS' GOALS.

Kris, a trial lawyer who leads clients through complex and mission-critical business and employment disputes, represents clients across the country in state and federal courts, appellate courts, and arbitration proceedings. Prioritizing responsive and personalized client service, he works diligently to help clients achieve their business goals when commercial differences threaten their business operations.

Complex Business Litigation

A sought-after litigator, Kris's trial docket regularly includes a range of complex business disputes, including matters related to corporate raids, fiduciary duties, trade secrets, banking and financing, oil and gas investments, and construction defects.

High-Stakes Employment Disputes

Kris regularly advises both employers and employees regarding the terms of noncompete agreements and related departing employee issues, including nonsolicitation and confidentiality obligations. He has extensive experience handling injunctions, trials and appeals involving these types of matters.

Representative Experience

Published Opinions

- *Citizens State Bank v. Michael Scott Leslie, et al.*, 2020 WL 1644017 (W.D. Tex. Apr. 2, 2020).
- *Gator Apple, LLC v. Apple Texas Restaurants, Inc.*, 442 S.W.3d 521 (Tex. App. — Dallas 2014, pet. denied).

Representative Matters

- Represented two commercial real-estate brokers in a lawsuit against a global, publicly traded brokerage attempting to enforce overbroad non-compete agreements to force the brokers out of the industry by injunction. After expedited discovery and a two-day temporary-injunction hearing, the firm team successfully argued that the non-competes were unenforceable devices aimed at forcing retention by intimidation, and the Court denied the requested temporary injunction in its entirety.
- Led a Bell Nunnally team in a broad-scale litigation campaign against the owner of a mortgage broker who defrauded a community bank in a multimillion-dollar loan-kiting scheme, obtaining emergency prejudgment writs of garnishment against the fraudster and his affiliates based on the severity of the bank's claims, which allowed the community bank to garnish bank, investment and crypto-currency accounts. Ultimately, the team litigated the bank's claims to a final conclusion by obtaining additional monetary recoveries from, and a final judgment against, the fraudster and his affiliates and assisting the FBI, FDIC, HUD and U.S. attorneys in prosecuting and convicting the fraudster of bank and wire fraud.
- After presenting oral argument to a federal district court on dueling motions for summary judgment in a case based on wrongful denial of coverage under a fidelity banker's bond against a global insurance carrier, defeated the insurance carrier's motion for summary judgment and secured a partial summary judgment on behalf of the client, a community bank. The case promptly settled for a confidential multimillion-dollar amount.
- Obtained the complete dismissal of a derivative and double-derivative lawsuit brought by a shareholder against a bank and a bank-holding company by filing special exceptions and arguing, under Delaware law, that the derivative plaintiff shareholder failed to satisfy the demand-futility rule.
- Secured a temporary restraining order and temporary injunction against a partner of a prestigious plastic-surgery practice for violating his noncompete agreement by opening a competing practice.
- For a national mechanical and plumbing contractor, obtained a temporary restraining order and permanent injunction against a former employee and owner of a competing business after he attempted to join forces with another direct competitor while the client was in the process of bidding against the competitor for major commercial and industrial jobs.
- Obtained a temporary restraining order and temporary injunction against a former employee of a national mortgage bank after the employee violated nonsolicitation and confidentiality covenants by attempting to recruit employees to join forces with a direct competitor and funnel confidential loan information to the competitor.
- For a restaurant franchisee, attained a seven-figure summary judgment in a suit against a sister franchisee for violating a nonsolicitation agreement. As a member of the appeal team, successfully protected and enforced the judgment after prevailing in the Dallas Court of Appeals and Texas Supreme Court.

- Represented a global software company involved in a six-year privacy and civil theft case based on alleged disclosure of electronic data; obtained a nonliability summary judgment and secured a favorable settlement.
- In a dispute between competing sports apparel manufacturers, obtained a non-liability summary judgment based on a geographically overbroad noncompete agreement.
- Represented the owner of a unit in a luxury Dallas condominium project, obtained a breach-of-fiduciary-duty summary judgment against the board of directors of the homeowners' association based on the board's self-dealing and lack of candor, resulting in a substantial settlement shortly before trial.

Noteworthy

- Named one of the "Best Lawyers Under 40 in Dallas" by *D Magazine*, 2020
- Selected by attorney peers for inclusion in *Texas Super Lawyers Rising Stars*®, Thomson Reuters, 2014–2022
- Selected by attorney peers for inclusion in *The Best Lawyers in America*®, 2024–2025

Activities and Memberships

- Dallas Bar Association
 - Business Litigation Section, Member
- Texas Tech Rawls College of Business
 - Advisory Council
- Hoops in the Highlands
 - Chair of nonprofit basketball tournament that raises funds for Lake Highlands area schools and promotes community outreach and involvement
- Patrick E. Higginbotham American Inn of Court
 - Former Associate
- White Rock Elementary Dad's Club
 - Former General Counsel and Past President

- Park Cities Baptist Church
 - Member
- Spring Valley Athletic Association
 - Volunteer basketball and football coach
- Baylor Law School Alumni Association
 - Member
- Dallas Association of Young Lawyers
 - Member

Publications

- "From 'Loper' to 'Ryan': Noncompetes Live to Fight Another Day," *Texas Lawyer*, author; September 4, 2024.
- "Texas Federal Court Strikes Down FTC's Noncompete Rule," Bell Nunnally Client Alert, author; August 21, 2024.
- "Texas Federal Court Shuts Down FTC Noncompete Rule (Well, Kind of...)" Bell Nunnally Client Alert, co-author; July 5, 2024.
- "Texas: Dallas, Fort Worth & Surrounds: An Introduction to Litigation: General Commercial," *Chambers and Partners*, co-author; 2024.
- "FTC Approves Sweeping Nationwide Ban of Noncompetes," Bell Nunnally Client Alert, author; April 24, 2024.
- "FTC Proposes Sweeping, Nationwide Ban of Non-Competes," Bell Nunnally Client Alert, co-author; January 9, 2023.
- "Two Sides, One Coin: The Employer, The Employee, and The Non-Compete," *Association of Corporate Counsel (ACC) Newsletter*; November 2022.
- "Two Sides, One Coin: The Employer, The Employee, and The Non-Compete," *Texas Lawyer*; July 6, 2022.
- "What Are the Implications of President Biden's Latest Executive Order?" *Texas CEO Magazine*, co-author; July 22, 2021.

- "Out with the Old, in with the New: The Biden Administration's Plan for Non-Competes," *Texas CEO Magazine*, co-author; February 4, 2021.
- "Non-Competes in the Economic Wake of Covid-19," *Bloomberg Law*, author; June 2020.
- ["Timing Isn't Everything: Why Temporal Proximity May Be Enough to Win the Battle But Not the War in a Title VII Retaliation Case,"](#) *Bloomberg Law Reports – Labor & Employment*, Volume 5 (No. 30), co-author; 2011.
- *Manual of Credit and Commercial Laws* 100th and 101st Editions, Texas section of chapters on "Mechanic's Liens" and "Construction Bonds on Public Projects," *National Association of Credit Management*, co-author; 2008–2009.

Presentations

- "Imagining a World Without Noncompetes," Association of Corporate Counsel Annual In-House Symposium, co-presenter; April 6, 2023.

Credentials

Education

- JD, Baylor University School of Law, 2008
- BBA, Texas Tech University, Rawls College of Business, *cum laude*, 2005

Admissions

- Texas
- Supreme Court of the United States
- United States Court of Appeals for the Fifth Circuit
- United States District Courts for the Northern, Southern, Eastern and Western Districts of Texas
- United States District Courts for the Western District Missouri