



Kristopher D. Hill

Partner | Dallas

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Practice Areas

Litigation

Labor, Employment and Benefits

Education

J.D., Baylor Law School, 2008

B.B.A., *cum laude*, Texas Tech University, Rawls College of Business, 2005

Admissions

State Bar of Texas

United States Supreme Court

United States Court of Appeals for the Fifth Circuit

United States District Court for the Northern, Eastern, Southern and Western Districts of Texas

United States District Court for the Western District of Missouri

Kristopher Hill is a trial lawyer who leads clients through complex and high-stakes business and employment disputes. The cornerstones of Kristopher's practice are hard work, dedication and responsiveness to his clients' goals, creativity, and a love for competition.

Kristopher represents clients across the country in state and federal courts, appellate courts, and arbitration proceedings. His trial docket regularly includes disputes involving non-compete and non-solicitation agreements, corporate raiding, fiduciary duties, trade secrets, banks and financial institutions, oil and gas investments, and construction defects. Kristopher also regularly advises both employers and employees regarding the terms of non-compete agreements and related departing employee issues, including non-solicitation and confidentiality obligations.

Representative Matters

- Extensive experience handling injunctions, trials, and appeals involving non-compete, confidentiality, and non-solicitation agreements.
- From 2017-2020, Kris led a team from Bell Nunnally in a broad-scale litigation campaign against the owner of a mortgage brokerage company who defrauded a community bank in a multi-million dollar loan-kiting scheme. Kris and the Bell Nunnally team obtained emergency pre-judgment 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, Kris and the Bell Nunnally 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.
- In 2020, after presenting oral argument to a federal district court on dueling motions for summary judgment in a case against a global insurance carrier based on wrongful denial of coverage under a fidelity banker's bond, Kris defeated the insurance carrier's motion for summary judgment and secured a partial summary judgment on behalf of the bank he represented. The case promptly settled for a confidential multi-million dollar amount.
- In 2020, Kris, and a team from Bell Nunnally, 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.
- In 2020, Kris obtained a temporary restraining order and temporary injunction against a partner of a prestigious plastic-surgery practice for violating his non-compete agreement by opening a competing practice.

- In 2021, Kris obtained a temporary restraining order and permanent injunction against a former employee and owner of a national mechanical and plumbing contractor after he attempted to join forces with a direct competitor while the contractor was in the process of bidding against the competitor for major commercial and industrial jobs.
- In 2021, Kris obtained a temporary restraining order and temporary injunction against a former employee of a national mortgage bank after the employee violated non-solicitation and confidentiality covenants by attempting to recruit employees to join forces with a direct competitor and funnel confidential loan information to the competitor.
- Obtained a seven-figure summary judgment for a restaurant franchisee in a suit against a sister franchisee for violating a non-solicitation agreement. Kristopher was a member of the appeal team that successfully protected and enforced the judgment after prevailing in the Dallas Court of Appeals and Texas Supreme Court.
- Obtained a non-liability summary judgment and secured a favorable settlement for a global software company in a six-year privacy and civil-theft case based on alleged disclosure of electronic data.
- Obtained non-liability summary judgment in a dispute between competing sports apparel manufacturers based on a geographically overbroad non-compete agreement.
- Obtained a breach of fiduciary duty summary judgment on behalf of a condominium unit owner against the board of directors of the homeowners association of a luxury Dallas condominium regime based on the board's self-dealing and lack of candor, which resulted in a substantial settlement shortly before trial.

Noteworthy

- Named to *D Magazine's* "Best Lawyers Under 40 in Dallas" List, 2020.
- Selected by attorney peers as a Texas Rising Star[®], *Thomson Reuters*, 2014-2022.
- Baylor Law Review, Notes & Comments Editor (2008), Associate Editor (2007)
- Baylor Law School Order of Barristers
- Texas Tech Rawls College of Business Honors Program in Management

Activities & Memberships

- Texas Tech Rawls College of Business Advisory Council
- Patrick E. Higginbotham American Inn of Court, Associate
- White Rock Elementary Dad's Club, Member and past President and General Counsel
- Park Cities Baptist Church
- Spring Valley Athletic Association, volunteer basketball and football coach
- Texas Tech Alumni Association of Dallas
- Baylor Law School Alumni Association
- Dallas Association of Young Lawyers
- Dallas Bar Association - Business Litigation Section

Publications

- "What Are the Implications of President Biden's Latest Executive Order?" *Texas CEO Magazine*, July 22, 2021.

- " Out with the Old, in with the New: The Biden Administration's Plan for Non-Competes," *Texas CEO Magazine*, February 4, 2021.
- " Non-Competes in the Economic Wake of Covid-19," *Bloomberg Law*, June 2020.
- Co-author, "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)*,2011.
- Co-author, Manual of Credit and Commercial Laws 100th and 101st Editions, Texas section of chapters on Mechanic's Liens and Construction Bonds on Public Projects, *The National Association of Credit Management*,2008, 2009.

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).