



→ Dwight Francis

Partner

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Dwight Francis is a partner in the Business Trial Practice Group. He is a member of the firm's Executive Committee and former chair of lateral partner recruiting for the firm's Dallas office.

Areas of Practice

Dwight devotes his career to class actions and other complex corporate litigation and is highly experienced in the courtroom. He defends and prosecutes commercial litigation disputes involving claims of theft of trade secrets, tortious interference with contractual and business relations, directors and officers disputes and breach of fiduciary duty claims, among many others, in federal and state courts across the country. In particular, Dwight defends class actions asserting violations of the federal Telephone Consumer Protection Act (TCPA), unfair competition, false advertising and other business torts.

Dwight employs a unique approach to litigation matters, tailoring his representation directly to his clients' needs and goals. Early on, Dwight conducts a case assessment. During this assessment, he works with the client to define its goals and to prepare a case strategy that meets those goals through alternative dispute resolution, summary judgment or trial on the merits of the case.

Dwight has effectively used this approach as national counsel and lead trial counsel for numerous entities. He represents clients in the insurance, oil and gas, healthcare, manufacturing, airline, motor club and third-party administrator industries, among others.

Honors

Diversity and Inclusion Champion, *Texas Lawyer Professional Excellence Awards*, 2020

Lawyers of Color's Inaugural Nation's Best List, 2019

Best Lawyers in America, Commercial Litigation, *Best Lawyers*, 2016-2024

Award of Excellence, Dallas Bar Association

Texas Rising Star, Business Litigation, *Super Lawyers*, 2004-2005

Experience

Representative Matters

- Lead counsel in successful defense against multi-billion dollar class action lawsuit for alleged violation of privacy laws

- Represented client against claims by plaintiffs seeking damages of over \$80 million based on allegations of misappropriation of trade secrets, unfair competition, tortious interference and business disparagement
- Represented general partner in automobile dealership in case involving allegations of fraud and conspiracy
- Obtained dispositive summary judgment in breach of contract/breach of fiduciary duty matter
- Represented association defendants in multi-district litigation that also included class action cases in various states, including: Alabama, Arizona, California, Mississippi, Oklahoma and Texas
- Defeated plaintiff's attempts to certify nationwide class action against national motor club
- Successfully obtained dissolution of temporary restraining order and bar of any further injunctive relief after several homeowners procured ex parte TRO shutting down client's multi-million dollar land development and construction project
- Successfully obtained injunctive relief and other extraordinary remedies, including temporary and permanent injunctions and pre-judgment writs of garnishment for numerous clients
- Successfully prosecuted fraudulent transfer of assets resulting in verdict including \$2.5 million punitive damage award; prior to entry of judgment, matter settled on favorable terms
- Negotiated and concluded mid-trial highly advantageous settlement in breach of contract and fiduciary duty suit stemming from non-payment of royalty interest to deceased third party
- Cyber intrusions and related state and international reporting, and PCI compliance

Reported Cases

- *Hydroscience Technologies, Inc. v. Hydroscience, Inc.*, 401 S.W. 3d 783 (Tex.App.–Dallas May 7, 2013)
- *Taylor v. Acxiom Corp.*, 612 F.3d 325 (5th Cir. (Tex.) 2010)
- *Eicken v. USAA Federal Savings Bank*, 498 F.Supp.2d 954 (S.D.Tex. 2007)
- *Myers v. Alliance for Affordable Health Services*, 318 F.Supp.2d 1055 (D.Colo. 2004)
- *In re UICI "Association-Group" Insurance Litigation*, 305, F.Supp. 1360 (2004)
- *Huie v. DeShazo*, 922 S.W.2d 920 (Tex. 1996)
- *NEPC, Inc. v. MEI, LLC*, 2013 WL 3816718, (S.D.Tex. 2013)

Media Mentions

Movers & Shakers Feature

The Deal, 04.20.2018

Sheppard Mullin Enters Texas Market With Dallas Office

Law360, 04.16.2018

Sheppard Mullin Officially Opens Dallas Office

The Texas Lawbook, 04.16.2018

Sheppard Mullin Launches Dallas Office

Texas Lawyer, 04.16.2018

Memberships

Member, State Bar of Texas

Member, American Bar Association

Member, Dallas Bar Association, Business Litigation Section

Fellow, Texas Bar Foundation

Former Director, Dallas Court Appointed Special Advocates

Barrister, The Patrick E. Higginbotham American Inn of Court, 2004-2007

Former Co-Chair, Texas Minority Counsel Program, 2003-2004

Former Vice President And Treasurer, J.L Turner Legal Association, 2003-2004

Practices

Litigation

Alternative Dispute Resolution

Appellate

Class Action Defense

E-Discovery

Environmental Litigation

Financial Services Litigation

Insurance

Professional Liability

Commercial Lending and Financial Transactions

Bankruptcy and Restructuring

Bankruptcy Litigation

Appellate

Industries

Aviation

Healthcare

Insurance

Life Sciences

Education

J.D., University of Virginia School of Law, 1992

B.A., Augusta University, 1989

Admissions

Texas

Texas State Courts

U.S. District Court for the Northern District of Texas

U.S. District Court for the Southern District of Texas

U.S. District Court for the Eastern District of Texas

U.S. District Court for the Western District of Texas

U.S. Court of Appeals for the Fifth Circuit

U.S. Court of Appeals for the Ninth Circuit

U.S. Court of Appeals for the Tenth Circuit

U.S. Court of Appeals for the Eleventh Circuit

U.S. Court of Federal Claims

U.S. Supreme Court