



**Tim Gavin**  
*Partner*

Phone: 214-855-3012  
Direct Fax: 214-758-3712  
Email: [tgavin@ccsb.com](mailto:tgavin@ccsb.com)

*“There is an art of law in the sense that it is not a science. Each lawyer brings an individual approach, a personal style of presentation, an interpretation of how to do things. The individual, creative approach that each lawyer brings is an art.”*

Mr. Gavin is the Managing Partner at Carrington Coleman and a member of its four-person executive committee. He is a business litigator and has extensive experience in a variety of business disputes, with specific experience in matters of antitrust and unfair competition litigation, class actions and derivative actions involving director and officer liability and ERISA fiduciary issues, as well as employment litigation involving noncompete covenants, trade secrets, and breaches of fiduciary duty.

Mr. Gavin also has substantive experience in the defense of claims of professional malpractice, predominantly defending claims of legal malpractice brought against attorneys. The balance of his practice consists of the defense and prosecution of business litigation involving a full range of subject matters.

Mr. Gavin is listed in the 2011 and 2012 editions of *The Best Lawyers in America*, and in the 2011 *Best Lawyers in America in Texas* in the specialty of commercial litigation. In a 2011 *Texas Monthly* survey of over 65,000 attorneys across the state of Texas, Mr. Gavin for the eighth consecutive year was designated as a Texas Super Lawyer, an honor bestowed on only 5% of Texas attorneys. His designation was in business litigation. He was also named as a leading individual of Texas commercial litigation in *Chambers & Partners 2007 USA Client's Guide*.

*“In addition to consistently doing good work, we ask our clients to compare our bills to those of firms representing co-defendants in a multi-party case. We will stand out for our efficiency. I'll go ahead and lead with my chin and predict we'll be the most efficient.”*

## **Representative Matters**

### **Breach of Fiduciary Duty**

Took over the representation of a limited partner after entry of summary judgment finding client had breached his fiduciary duty to the partnership. During course of trial on damages, the trial court reversed summary judgment ruling and the jury verdict resulted in a take nothing judgment in favor of our clients.

Have represented directors in multiple actions brought by bankruptcy trustees alleging breach of fiduciary duty to company that filed for bankruptcy.

### **Class Actions**

Represented compensation and benefits committee of Fortune 500 company in defense of ERISA claims. Obtained dismissal of misrepresentation claims, helped defeat class certification, and case ultimately settled.

### **Derivative Actions**

Represented outside directors of Fortune 500 company in derivative action involving alleged breach of fiduciary duty. Case ultimately settled by agreeing to governance changes and paying attorneys' fees.

## Education

Southern Methodist University

J.D., *cum laude*, 1979

Texas Survey Editor, Southwestern Law Journal, 1978-79

Member: Order of the Coif

St. Edwards University

B.A., *maxima cum laude*, 1976

## Admittances

Texas 1979

## Associations/Affiliations

Member: Dallas Bar Association (Chair, Lawyer Referral Service Committee, 2005; Co-Chair, Judiciary Committee, 2001; Chair, Judicial Investiture Committee, 2001; Co-Chair, Bench Bar Conference Committee, 1995; Chair, Fee Disputes Committee, 1991).

Member: Board of Trustees: St. Edwards University.

Member: Texas Bar Foundation and Dallas Bar Foundation.