



Monica Wiseman Latin
Partner

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"The Art of Law is treating law as a profession and something more than just the mechanical performance of technical tasks. It's about understanding the bigger picture without missing the nuance of any particular issue. It requires creativity, sensitivity and flexibility."

Ms. Latin chairs the firm's business litigation practice. She handles trials, arbitrations, and appeals throughout the country, including commercial disputes, professional liability, construction litigation, fiduciary obligations, insurance litigation, employment law, and trade secret litigation. She has extensive experience advising clients concerning issues relating to the hiring and departure of employees, including covenants not to compete and misappropriation.

Ms. Latin has been named by *D Magazine* as one of the "Best Lawyers in Dallas" for business litigation since 2008, and one of the "Best Women Lawyers in Dallas" in 2010. She has also been recognized by *Texas Monthly* magazine as a "Super Lawyer" each year since that award began in 2003. She was named the "Outstanding Young Lawyer of Dallas" in 2004, and was twice named one of the "Best Lawyers Under 40 in Dallas" by *D Magazine*.

Ms. Latin is a frequent speaker on litigation issues. She is actively involved in the Working Group on Electronic Document Retention and Production of The Sedona Conference® and was a founding member of the advisory board for the Georgetown University E-Discovery Institute. She was also a member of The Sedona Conference® Working Group Series on Protective Orders, Confidentiality and Public Access. Ms. Latin is a founding board member and past Chair of the Board of The Chiapas Project, a nonprofit dedicated to awareness-raising and fundraising for microcredit programs in Latin America.

"I view myself as a business partner of the companies I represent. I keep my focus on what's best for their business. I'm not just a litigator, but a teammate."

Representative Matters

Successfully argued on behalf of Dallas County a request for temporary restraining order against the Dallas County Sheriff and the Discovery Channel to prevent filming of documentary.

Pursuant to a final judgment in a compliance dispute between the SEC and a New York-based investment banking and financial services firm, served as the agreed Independent Consultant to evaluate policies and procedures with respect to regulations governing the retention of electronic communications.

Enforced and invalidated covenants not to compete in a variety of contexts.

Obtained and defeated a variety of temporary injunctions involving federal and state statutes, regulations, interpretation of the Texas Constitution, real estate rights, covenants not to compete, and trade secrets.

Won complete defense verdict in trial against accounting firm in suit against former employment compensation and benefits consultants and new employer.

Obtained temporary restraining order and 7-figure settlement against executive whose co-workers office staff were recruited to join competitor

Obtained summary judgment in insurance coverage dispute.

Led the litigation team in the successful prosecution and settlement of a substantial construction defects case involving a big box retail development and numerous defendants.

Defended numerous professional liability claims against insurance brokers and other professional service providers.

Reported Decisions:

Lead Counsel, *Amend v. Watson*, 333 S.W.3d 625 (Tex. App.-Dallas, July 6, 2009, no pet.)

TIG Ins. Co. v. Aon Re, Inc., No. 05-11450, 2008 WL 667423 (5th Cir. March 13, 2008)

Meyer v. Cathey, 48 Tex. Sup. Ct. J. 913 (Tex. 2005)

Nauslar v. Coors Brewing Co., 170 S.W.3d 242 (Tex. App.-Dallas, 2005, no pet.)

Lead Counsel, *CMS Partners, Ltd. v. Plumrose USA, Inc.*, 101 S.W.3d 730 (Tex. App. - Texarkana 2003, no pet.)

Lead Counsel, *Plaza at Turtle Creek, Ltd. v. Henry Building, Inc.*, 2002 WL 59603 (Tex. App.-El Paso, Jan. 17, 2002)

Bullough v. JLM Financial II, 2001 WL 789285 (Tex. App.-Dallas, July 12, 2001, pet. denied)

Lead Counsel, *Blackman v. Jolly*, 2000 WL 230329 (Tex. App.-Dallas, Mar. 1, 2000, pet. denied)

Lead Counsel, *Monroe v. Hunsicker*, 2000 WL 31876 (Tex. App.-Dallas, Jan. 18, 2000, no pet)

Education

University of Texas
J.D., with honors, 1993
Editor in Chief, *The Review of Litigation*

Trinity University B.S., *summa cum laude*, 1990
Computer Science and Philosophy
Phi Beta Kappa

Kings College, University of London

Judicial Clerkship

Honorable Lloyd Doggett,
Supreme Court of Texas, 1993-1994

Admittances

All Texas state trial and appellate courts
U.S. Court of Appeals for the Fifth Circuit
U.S. District Courts for the Northern, Southern, Eastern and Western Districts of Texas

Associations/Affiliations

Dallas Bar Association, Board of Directors, 2011-2012; Judiciary Committee Co-Chair, 2011; Bench-Bar Conference Co-Chair, 2009.

American Bar Association Section of Litigation, Committee on National Institutes, Co-Chair, 2010-12.

Leadership Dallas, Class of 2009; Leadership Dallas Alumni, Board of Directors, 2011.

The Chiapas Project, Board of Directors, 2005-2010 (Chair 2006, Officer 2005-2007); Advisory Board 2011-present.

Texas Young Lawyers Association, Board of Directors, 2000-2004.

Dallas Association of Young Lawyers, Board of Directors, 1999-2004 (Secretary, Treasurer).

National Alumni Board, Trinity University (Executive Committee), 2005-2008.

Dallas Association of Young Lawyers Foundation, Life Founding Fellow and former Trustee and Officer.

Fellow: Texas Bar Foundation, Dallas Bar Foundation.

Member: College of the State Bar of Texas, Attorneys Serving the Community, American Bar Association, Dallas Bar Association.

Numerous committees for state and local bar associations.

Speeches/Publications

Chair, American Bar Association Section of Litigation 5th National Institute on Electronic Discovery, Washington, D.C., 2011 and 2012.

Moderator of Judicial Panel, *E-Discovery in the State and Federal Courts*, Dallas Bar Association, 2011.

Panelist, *E-information: From Request to Admission*, State Bar of Texas Advanced Personal Injury Law Course, 2010.

Co-author, *Living Daily With Weekley Homes*, The Advocate, Summer 2010.

Panelist, *Kroll Ontrack Litigation Technology Workshop*, LealTech, New York, 2010.

Panelist, *Working With First Time Clients on Electronic Discovery Projects*, ESI Bytes, 2009.

Moderator, American Bar Association Third Annual National Institute on E-Discovery, Chicago, 2009.

Temporary Restraining Orders and Injunctions, Dallas Association of Young Lawyers, 2009.

Panelist, *Money-Saving Solutions for E-Discovery*, Huron Consulting Group, 2009.

Panelist, *Avoiding Problems for Corporate Representatives Under Oath*, Georgetown Law CLE, 2008.

Assessing Noncompetition Agreements and Minimizing Risk in the Hiring Process, In-House Litigator, ABA Section of Litigation, 2008.

Moderator, *State and Federal Approaches to E-Discovery*, Dallas Bar Association Bench-Bar Conference, 2008.

Downgrading Data to Inaccessible Format: Risky Business?, BNA Audioconference, 2008.

Co-Chair, 2nd Annual Getting Ahead of the eDiscovery Curve: *Strategies to Reduce Costs & Meet Judicial Expectations*, The Sedona Conference Institute, San Diego, 2008.

E-Discovery Ethics & Best Practices for Counsel, West Legalworks, 2007.

Panelist, 4th Annual Advanced E-Discovery Institute: *The Revised Federal Rules - A Year Later*, Georgetown University Law Center, 2007.

Panelist, *Does Size Matter With Electronic Records? Records Management Issues for Mid-Size Companies and Law Firms*, BNA Audioconference, 2007.

Panelist, *Electronic Discovery after the New Federal Rules: Strategies for Coping with the Latest Challenges and Intricacies*, West Legalworks, Austin, 2007.

E-Discovery in Practice – Effect of the Federal Rule Changes, American Bar Association Section of Litigation, 2007.

Co-chair, *Getting Ahead of the eDiscovery Curve*, The Sedona Conference Institute, Memphis, TN, 2007.

Panelist, *The Next Frontier - Federal Rules Changes to E-Discovery*, American Bar Association Section of Litigation Annual Meeting, San Antonio, TX, 2007.

Panelist, *University of Traditional Discovery Mechanisms to Pursue E-Discovery*, Georgetown University Law Center Advanced E-Discovery Institute, 2006.

E-Discovery Basics, Burdens and Bombshells, Oklahoma Association of Defense Counsel Annual Meeting, 2006.

New Federal Rules on E-Discovery: Answers and Questions, Pricewaterhouse Coopers General Counsel Forum, 2006.

Panelist, *Preservation Duties, Spoliation Sanctions and Risk Management*, IQPC E-Discovery Conference, Miami, 2006.

Electronic Discovery and the Evolving Role of Corporate Counsel and the Governance Professional, Society of Corporate Secretaries & Governance Professionals, 2006.

Moderator, *Protective Orders & Open Courts: Access or Exposure?*, Dallas Bar Association, 2005.

Electronic Discovery: How to Cope with Litigation's 800-pound Gorilla, 13th Annual Corporate Counsel Symposium, SMU Dedman School of Law, 2005.

How to Avoid Being on the Wrong End of Spoliation Sanctions - Lessons from Morgan Stanley, Zubulake, and Phillip Morris, Association of Corporate Counsel, DFW Chapter, 2005.

Rules Tomorrow, Guidance Today: The State of Play of the Federal Rules Proposals and the Impact of Arthur Andersen and Morgan Stanley, Pike & Fisher Audioconference, 2005.

Trials and Tribulations: Electronic Discovery and the Evolving Role of Corporate Counsel, Association of Corporate Counsel DFW Symposium, 2005.

The Role of Electronic Documents in Litigation and Investigations: Unique Issues and Innovative Approaches, International Law and Technology Forum, Center for American and International Law, 2004.

Recent Updates Relating to Discovery of Electronic Data, The Fifth Annual Las Vegas CLE, DAYL/AAYLA, 2004.

Co-author and program faculty member, *Who Pays for Electronic Discovery? A Survey*, *Complex Litigation V: Electronic Discovery and Technology in the Courtroom*, The Sedona Conference, 2003.

Federal Discovery, *Federal Court Practice Seminar*, State Bar of Texas 2002.

Sending and Responding to Written Discovery, Dallas Association of Young Lawyers "Bridge The Gap" Seminar, 1999.

The New Texas State Court Discovery Rules, Dallas Association of Young Lawyers Seminar, 1999.

Honors and Awards

D Magazine Best Lawyers in Dallas

Texas Monthly Superlawyer

Outstanding Young Lawyer of Dallas

D Magazine Best Lawyers Under 40

President's Award of Merit, Texas Young Lawyers Association

BTI Client Service All-Star (survey of Fortune 1000 general counsel)