



## Katherine "Katie" Anand

**PARTNER**

In a tough situation, you want Katie in your corner. Once described by an opposing counsel as the "Texas Tornado," Katie tenaciously works to achieve her clients' goals. However, clients know that when situations get tense, Katie brings a calm and steady strength that engenders trust. Ultimately, her clients' goals are her goals, and by establishing close relationships, listening, and learning her clients' business, Katie works to help her clients achieve their desired outcomes efficiently. Katie measures a job well done by her clients' success and satisfaction.

Katie is often engaged to assist with pre-suit investigation or resolution. A detail-oriented problem-solver, Katie identifies and evaluates risks so clients can make decisions for their businesses that mitigate those risks and avoid or minimize disputes before they turn into expensive litigation. That said, once a lawsuit is filed, Katie is a driven litigator, representing her clients through trial and appeal if necessary. Katie also frequently serves as local Texas counsel, helping lead counsel navigate Texas courts and procedures.

Having practiced for over 15 years, Katie brings a wealth of experience to her new role at Martin Powers. Katie specializes in business and financial services litigation and construction litigation, representing businesses and individuals in disputes involving breach of contract, force majeure issues, negligence, fraud, fiduciary duty, and DTPA claims, among other claims. Katie also has experience enforcing security interests and post-judgment collection matters. For her construction clients, Katie has experience representing contractors with respect to contract claims and filing mechanic's liens, and representing owners, developers, and contractors in cases involving construction defects, delay claims, and other disputes.

At heart, Katie is a servant leader and serves on the Board of the St. Thomas More Society and the Advisory Board for Rainbow Days Inc. — a Dallas-based charity that helps children globally to overcome adversity and ensure a more promising future.

### DALLAS

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### AREAS OF EXPERTISE

- Commercial/Business Litigation
- Construction Litigation
- Financial Services Litigation



### REPRESENTATIVE MATTERS

#### Commercial Litigation:

- Handled multiple construction and design defect suits on behalf of owners and developers, including pre-suit investigation, working with experts, insurers, and in-house counsel in analyzing risks and litigation strategy, managing testing/inspections, determining damages, taking expert witness depositions, and negotiating multi-party settlements
- Represented utility company in delay and trespass cases involving relocation of facilities during road reconstruction and other projects
- Perfected mechanic's liens on behalf of subcontractor
- Represented interests of lender related to funding and completion of construction project after general contractor abandoned project and subcontractors filed liens

#### Business Litigation:

- Briefed and argued successful response to interlocutory appeal on choice-of-law issues involving personal guaranty in Winspear v. Coca-Cola Refreshments USA, Inc., No. 05-13-00712-CV, 2014 WL 2396142 (Tex. App. — Dallas Apr. 9, 2014, pet. denied)





## EDUCATION

- J. D. , University of Notre Dame Law School, cum laude (2005)
- Federal Courts, Practice & Procedure Editor, Notre Dame Law Review, 2004-05; Editor, 2003-04
- Student Symposium Editor, Harvard Journal of Law & Public Policy, 2004
- National Association of Women Lawyers Award for scholarship, motivation, and contribution to advancement of women in society, 2005
- Kaneb Outstanding Teaching Assistant Award, 2004
- B. A. , Politics, University of Dallas, magna cum laude (2002)
- Phi Beta Kappa

## EXPERIENCE

- Associate, Thompson & Knight, LLP, Dallas, Trial Section, 2005-2009
- Partner, Estes Thorn & Carr PLLC, 2009-2021

## LICENSES & CERTIFICATIONS

- State Bar of Texas
- United States District Court for the Northern District of Texas
- United States District Court for the Southern District of Texas
- United States District Court for the Eastern District of Texas
- United States District Court for the Western District of Texas
- Fifth Circuit Court of Appeals

- Represented integrated oil company in force majeure dispute
- Represented financial institution in breach-of-contract suit after commercial real estate loan failed to close
- Conducted pre-suit investigations into violations of fiduciary obligations by officers and directors of financial institutions and their outside professionals and recommended and pursued litigation as appropriate
- Obtained early dismissal of loan servicer in suit alleging negligence and fraud
- Reached positive resolution on behalf of vendor in UCC equipment finance lease matter
- Represented manufacturer in successful appeal of judgment in products liability suit
- Obtained summary judgment for employer in wrongful death suit
- Obtained dismissal of international corporation improperly joined as third party in suit involving breach-of-warranty claims
- Represented national organization of software providers in several disputes involving alleged infringement of intellectual property rights
- Negotiated multiple settlements, such as action involving breach of commercial lease
- Addressed multiple non-party discovery matters, including defense of out-of-state investment advisor against deposition subpoena
- Enforced security interests and pursued post-judgment remedies, including enforcement of foreign judgments, discovery, and execution against real property and other interests

## MEMBERSHIPS, COMMUNITY INVOLVEMENT & RECOGNITION

- Member, State Bar of Texas
- Dallas Bar Association
  - Construction Law Section
  - Community Involvement Committee, 2009-2010; Vice-Chair, 2008-2009
  - Legalline Committee, 2008-2010; Vice-Chair, 2007-2008
- Fellow, Dallas Bar Foundation
- Member, Dallas Women Lawyers Association
- Member, Attorneys Serving the Community
- Foundation Fellow, Dallas Association of Young Lawyers
- ABA, Resolutions Committee and Awards/Subgrants Team, 2007-2008
- Member, National Association of Women in Construction
- Member, Women in Construction Law, Dallas Section
- Member, Notre Dame Club of Dallas
- Rainbow Days, Inc.
  - President, Board of Directors, 2016-2019
  - Executive Committee, 2014-2019



- o Board of Directors, 2012-2019
- o Founder, Auxiliary, 2012
- o Advisory Board, 2019-Present
- St. Thomas More Society, Board of Directors, 2019-Present

## PROFESSIONAL ACHIEVEMENTS

- Recognized, Texas Rising Star, Thomson Reuters as published in Texas Monthly (2013-2021)
- Recognized, Best Lawyers in America in commercial litigation, Woodward/White, Inc. (2020-2021)
- Recognized, Best Lawyers in Dallas, as published in D Magazine (2021)
- Recognized, Best Lawyers Under 40, as published in D Magazine (2018)
- The Dallas Foundation, Good Works Under 40 Finalist (2019)
- Jo Anna Moreland Outstanding Committee Chair Award, Dallas Bar Association, Community Involvement Committee (2010)
- Women Empowered to Lead (WE LEAD), Dallas Bar Association, Inaugural Class Member

## PUBLICATIONS

- Oil & Gas Force Majeure Litigation and Practical Tips, Dallas Bar Association, Paralegal Section 09/2019
- Construction Law Issues in Bankruptcy, Dallas Bar Association, Bankruptcy & Commercial Law Section - 05/2019 Co-presenter
- Frequently Asked Questions about Texas Offers of Settlement News for the Bar, State Bar Litigation Section 03/2015 Author
- We Won! Now What? Practical Post-Judgment Discovery for Judgment Creditors The Advocate, State Bar Litigation Section Report 10/2013 Co-Author
- Subpoenas: Handling Nonparty Discovery Under Texas and Federal Law Dallas Bar Association 01/2013 Co-Author
- Litigation Trends in the Banking and Financial Services Industries Dallas Association of Financial Professionals 09/2008 Co-Author
- Discovery Readiness: Creating a Data Map Client Alert, Thompson & Knight 11/2007 Co-Author
- New Federal Rule Allows Citation of "Unpublished" Opinions Appellate Bulletin, Thompson & Knight 06/2007 Co-Author
- Note, Demanding Due Process: The Constitutionality of the 524 Channeling Injunction and Trust Mechanisms that Effectively Discharge Asbestos Claims in Chapter 11 Reorganization 80 Notre Dame Law Review 1187 01/2005 Author