



Terah Moxley

PARTNER

Terah serves as both a counselor and an advocate for employers of all sizes, ranging from Fortune 100 corporations to privately-held companies. As a counselor, Terah helps employers stay out of the courtroom, advising on day-to-day employment issues like discipline and termination decisions, accommodations under the ADA, FLMA compliance, proper classification under the FLSA, and issues related to employment contracts and non-compete agreements. Terah also provides training to employees, supervisors, and human resources professionals and assists with investigation of employee complaints, including serving as an outside investigator. When disputes do arise, Terah is a fierce advocate for employers before state and federal agencies, in arbitrations, and in state and federal courts.

Whether as a counselor or an advocate, Terah works collaboratively with her clients to achieve their desired outcome efficiently. Having practiced employment law for over a decade and earning her Board Certification in Labor and Employment Law, Terah understands that a paint-by-number approach to lawyering does not work. Each client's situation is unique, and she works hard to find unique ways to help. Terah prides herself on being a lawyer who listens.

Terah also has a growing appellate practice, which includes advising trial counsel on preservation issues and appellate strategy. Terah has handled numerous appeals in both state and federal court, having argued appeals in both. In addition, Terah frequently handles commercial litigation matters, executing strategies developed collaboratively with clients.

Terah enjoys spending time giving back to the community as a volunteer with the Junior League of Dallas, an organization committed to developing the potential of women and improving the community through the effective action and leadership of trained volunteers. Terah recently served on the Board of Directors for the Junior League of Dallas and continues to serve on its Leadership Council.

DALLAS

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**Board Certified in Labor & Employment
Law by the Texas Board of
Legal Specialization**

AREAS OF EXPERTISE

- Employment Litigation
- Employment Counseling
- Appellate
- Commercial Litigation

EDUCATION

- J.D., Baylor University School of Law, magna cum laude (2010)
- Highest Ranking Student in Graduating Class
- Technical Editor, Baylor Law Review
- Order of Barristers
- Member of multiple interscholastic moot court teams
- Dean's Academic Scholarship
- B.A., Political Science, Texas Christian University (2004)

REPRESENTATIVE MATTERS

Employment Litigation:

- Defense jury verdict in federal court for national insurance company against two former employees suing for age and race discrimination and successful defense of appeal of verdict in the Fifth Circuit
- Secured dismissal of federal court suit alleging disability discrimination on behalf of Fortune 500 telecommunications company
- Won federal court summary judgment on behalf of Fortune 500 oil company against former employee alleging gender discrimination and retaliation
- Won federal court summary judgment on behalf of Fortune 500 oil company against former employee alleging age discrimination Numerous TROs in various jurisdictions to enforce non-competition and non-solicitation agreements
- Won summary judgment in Texas state court for national insurance company against former employee of insurance agent alleging negligence and successfully defended on appeal
- Won summary judgment in federal court on behalf of Fortune 500 energy company against former employee alleging race discrimination



EXPERIENCE

- Associate, Smith & Cross LLP, 2010-2011
- Partner, Estes Thorne & Carr PLLC, 2011-2021

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
- United States District Court for the Central District of Illinois
- United States District Court for the Southern District of Indiana
- Fifth Circuit Court of Appeals

Appellate:

- Briefed successful defense of Rule 91a dismissal on behalf of Fortune 500 energy company in *Light v. Vistra Energy*, No. 10-18-00330-CV (Tex. App.—Waco 2021, no pet.)
- Briefed successful defense of trial court's order terminating parental rights and defeated petition for review after full merits briefing in *In re N.T.*, No. 19-0448 (Tex. 2019) and No. 11-18-00280-CV (Tex. App.—Eastland 2019, pet. denied)
- Argued and briefed successful defense of trial court's dismissal of negligence suit against tollway authority based on governmental immunity in *Zaidi v. North Texas Tollway Authority*, No. 05-17-01056-CV (Tex. App.—Dallas 2018, no pet.)
- Briefed successful defense of award of attorney's fees in breach-of-contract suit on behalf of national truck parts distributor in *Ball v. FleetPride, Inc.*, No. 07-16-00296-CV (Tex. App.—Amarillo 2017, no pet.)
- Briefed successful defense of jury verdict from federal court matter on behalf of power generation company against employee who alleged racial harassment, discrimination, and retaliation in *Carter v. Luminant Power Services Co.*, No. 12-10642 (5th Cir. 2013)

Commercial Litigation:

- Successfully briefed and argued motion challenging capacity of party asserting breach-of-contract claims against Fortune 100 oil company related to invocation of force majeure clause after pipeline rupture
- Defended non-party corporate representative of financial services company in deposition and arbitration hearing in case involving claims of negligent misrepresentations in the sale of a medical device company
- Successfully briefed motion to dismiss claims against receiver of bank sued for fraud connected to loan for foreclosed property
- Successfully briefed motion to enforce venue provision in breach-of-contract action between automobile dealership and lender

MEMBERSHIPS, COMMUNITY INVOLVEMENT & RECOGNITION

- Member, State Bar of Texas
 - Employment Law Section
 - Appellate Section
- Dallas Bar Association
 - Employment Law Section
 - Appellate Section
- Life Fellow, Dallas Association of Young Lawyers Foundation
- Member, Dallas Women Lawyers Association
- NAMWOLF, Emerging Leaders Initiative, 2020-2021
- Girl Scouts of Northeast Texas, Board Member (ex officio), 2018-2019
- Junior League of Dallas, 2014-present
 - Board of Directors, 2020-2021
 - Leadership Council, 2019-2022

PROFESSIONAL ACHIEVEMENTS

- Recognized, Texas Rising Star, Thomson Reuters as published in Texas Monthly (2018-2022)
- Recognized, Up-and-Coming 50: Women Texas Rising Stars as published in Texas Monthly (2021-2022)
- Recognized, Up-and-Coming 100: Texas Rising Stars as published in Texas Monthly (2022)
- Recognized, Best Lawyers in America in employment litigation, Woodward/White, Inc. (2022)
- Recognized, Best Lawyers in Dallas, as published in D Magazine (2022)
- Recognized, Best Lawyers Under 40, as published in D Magazine (2020-2021)
- Women Empowered to Lead (WE LEAD), Dallas Bar Association, Class Member 2020
- Dallas Bar Association, Presidential Citation, 2021

PUBLICATIONS/PRESENTATIONS

- Tales from a First Time Poll Worker, Dallas Bar Association, Headnotes, May 2021, Author
- Practical Employment Law Issues and Trends in 2021, Johnson County Bar Association, May 2021, Presenter
- Practical Tips for Training Managers, Dallas HR Legal Exchange Conference, July 2020, Co-Presenter
- Avoiding Political Landmines in the Workplace, Dallas Bar Association, Headnotes, June 2020, Co-Author
- Practical Employment Law Issues During COVID-19: Effects on the Family Law Practitioner, Dallas Bar Association Family Law Section, May 2020, Co-Presenter
- Embracing Help: A Do as We Say and Not as We Do Guide to Giving Yourself a Little Grace, National Association of Women Lawyers, Weekly Wellness Tip, April 2020, Co-Author
- Practical Employment Law Issues During COVID-19, Baylor Law School Alumni Association, April 2020, Presenter
- Human Resources and Employment Law During COVID-19, US-India Chamber of Commerce, Work Ahead Wednesday Webinar, April 2020, Panelist
- Congress Passes Paid Leave Law: What Employers Need to Know, Dallas Bar Association, Headnotes, April 2020, Author
- Do You Speak Emoji?, Dallas Bar Association, Headnotes, April 2019, Co-Author
- Workplace Violence: What Employers Need to Know, Dallas Bar Association, Headnotes, January 2019, Author
- How to Survive the Holiday: 6 Legal Landmines to Avoid, Women's Business Council Southwest, Harvesting Partnerships Symposium, November 2018, Presenter
- What's on the Horizon for the Trump Administrations and Employment Laws?, Dallas Bar Association, Labor & Employment Section Monthly CLE, February 2017, Co-Presenter
- Taking a Step Back: The Impact of the Sudden Halt on the New Overtime Rules, The American Bar Association, The Woman Advocate, January 2017, Co-Author
- Stalled Overtime Rules May Still Impact Your "Always On" Employments, Dallas Bar Association, Headnotes, January 2017, Co-Author
- What Employers Need to Know in 2016, Women's Business Council Southwest, Table Topics Luncheon Series, March 2016, Co-Presenter
- Pre-Employment Considerations and Lawsuits, Dallas HR Legal Exchange Conference, Legal Round-Up, January 2016, Presenter
- Joint-Employment Status: A New Frontier, State Bar of Texas, Legal Issues in the Hospitality Industry, November 2015, Co-Author
- A Tale of Two Statutes: Employee Leave Under the FMLA and the ADA, Dallas Bar Association, Headnotes, January 2014, Co-Author