



**Sim Israeloff**  
Shareholder

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#### Practice Areas

- Commercial / Business Litigation
- Coverage and Insurance Litigation
- Intellectual Property Litigation
- Professional Liability
- Municipal, Public Law and Land Use
- Real Estate / Real Estate Finance
- Commercial Arbitration
- Appellate



#### Practice Emphasis

Sim Israeloff is a Senior Shareholder with over 30 years of trial experience and Section Head of the Firm's Commercial / Business Litigation Practice Group.. His practice is devoted to commercial and complex business litigation in state and federal courts. He represents U.S. and foreign businesses and individuals in litigation and arbitration involving business transactions, real estate, partnerships, franchises, securities, intellectual property, injunctions, and probate matters. Sim is a frequent writer and speaker on business litigation and trial tactics and serves as the Firm's legal counsel.

Mr. Israeloff is Board Certified in Civil Trial Law by the Texas Board of Legal Specialization and is a member of the American Board of Trial Advocates (ABOTA). Since 2007, Mr. Israeloff has been listed in The Best Lawyers in America, by Woodward/White, Inc., in the areas of Commercial Litigation, Litigation-Construction, Litigation-Intellectual Property, Litigation-Patent, and Litigation-Real Estate. In 2010 he was named to the Lawdragon 3000 Leading Lawyers in America. He has also been included on the Texas Super Lawyers list, a Thomson Reuters service, since 2003 in the areas of Business Litigation, Class Action/Mass Tort, and Intellectual Property Litigation.

#### Representative Matters

- Represented a co-owner of an office building in a AAA arbitration and state court suit. Successfully resisted two injunction attempts seeking to force the client to convey its interest before consideration was determined or paid. Tried the case in arbitration and obtained full relief for the client. The claimant's claims were denied in their entirety and the client was awarded the full compensation requested on each item plus reimbursement for improper charges and attorney fees.
- Defended a national retailer in a putative class action by medical professionals asserting statutory violations in lease agreements. Successfully resisted the request to certify a class action. After jury trial and appeal, obtained a take-nothing judgment for the client.
- Defended a manufacturer of anti-shoplifting devices in a patent infringement action in the Eastern District of Texas as co-lead and trial counsel working with patent counsel. Obtained a jury verdict of non-infringement, reportedly the first defense verdict in a patent case in the Eastern District.
- Represented heirs in probate litigation over claims against the estate. Tried the matter in probate court.
- Represented the owner of a commercial building in a multi-party dispute over defective construction. Tried to a jury verdict in federal court in Mississippi against the architect, geotech engineer, and general contractor. Obtained a seven-figure judgment and settlements in favor of the client.

### **Contract Disputes**

- Partnerships, franchises, co-tenancies
- Business sales, acquisitions, buyouts, dissolutions, successor liability
- Finance, loans, security interests, foreclosures
- Defective performance, warranties, commissions, UCC issues

### **Business Torts**

- Securities, stock fraud, misrepresentation, concealment
- Tortious interference, unfair competition, civil conspiracy
- Alter ego, fiduciary duty, fraudulent transfers
- Preemptive rights, oppression of minority shareholders
- Lender liability, usury

### **Real Estate Litigation**

- Sales, leases, financing, title insurance, property damage, mold
- Investor disputes, mismanagement, self-dealing
- Easements, surveys, boundary disputes
- Condemnation, eminent domain

### **Intellectual Property Litigation**

- Patents, trademarks, copyrights, Lanham Act
- Misappropriation, trade secrets
- Injunctions, accountings, disgorgement, lost profits

### **Employment Litigation**

- FLSA wage and hour, overtime claims
- Discrimination

### **Class Action Litigation**

### **Arbitration**

- Representing parties in AAA commercial arbitrations
- Serving as a party appointed arbitrator

### **Education**

- J.D., *with honors*, University of Texas School of Law, 1983
  - Associate Editor, Texas Law Review
- B.B.A., Accounting, *with highest honors*, The University of Texas, 1980
  - Member, Phi Delta Phi
  - Member, Beta Alpha Psi ,Accounting Honor Society

### **Admissions**

- State Bar of Texas
- U.S. Court of Appeals for the Fifth Circuit
- U.S. Court of Federal Claims
- U.S. District Court, Northern District of Texas
- U.S. District Court, Eastern District of Texas
- U.S. District Court, Southern District of Texas
- U.S. District Court, Western District of Texas

**Memberships**

- State Bar of Texas, Litigation Section
- American Bar Association, Section of Litigation
- Dallas Bar Association
- Dallas Bar Foundation, Sustaining Life Fellow,
- Former Barrister in the Patrick E. Higginbotham American Inn of Court
- Former of Mayor of Fairview, Texas (2003 to 2013)