

## Brandan Montminy

Partner

Dallas

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Brandan brings a pragmatic approach to complex litigation, cybersecurity, and data privacy, as well as national counsel roles in high-stakes opioid litigation and defense verdicts in multimillion-dollar investor disputes.

### OVERVIEW

Brandan is committed to delivering responsive and practical counsel to clients across a diverse range of litigation matters, and responses to government and regulatory investigations and inquiries. He represents clients in various industries, including pharmaceuticals, health care, banking and finance, construction, insurance, professional services, real estate, and technology.

Brandan's litigation experience spans from representing *Fortune* 500 companies in high-stakes litigation to coordinating responses to non-party subpoenas for local businesses. He aims to help secure resolutions that align with his clients' business goals, whether through principled defense at trial or amicable pre-suit resolution.

Brandan also provides strategic guidance and response coordination following significant data incidents, leveraging the firm's resources and relationships with vendors in consulting, forensics, public relations, and consumer services.

### REPRESENTATIVE MATTERS

#### Litigation

- National counsel for a distributor in *In re National Prescription Opiate Litigation*, 17-md-2804, and parallel state and federal actions across the U.S.
- Creditor-side bankruptcy representation in various matters pertaining to pharmaceutical companies and corporate dissolutions.
- Representation of Big Four accounting firm in various litigation and discovery matters, including professional malpractice allegations.
- Secured a defense verdict following a month-long jury trial concerning claims of equity entitlement in excess of \$30 million made by an investor pursuant to the attempted exercise of a convertible promissory note.
- Representation of national companies in contractual disputes concerning commercial and real estate matters.
- Proposed and implemented a state-wide initiative and litigation plan to curtail frivolous garnishments against a

national bank and defended numerous suits bringing allegations of improper garnishment procedures in furtherance of the same.

- Numerous representations of limited and general partners in disputes arising from partnership rights and obligations in a variety of contexts.
- Obtained the dismissal of a component manufacturer against catastrophic injury and wrongful death claims following an explosion at an oil rig.

### **Cybersecurity, Data Privacy, and Breach Response**

- Assisted multiple clients with beginner or advanced privacy and cybersecurity programs, including assisting with drafting and revising written information security policies and written incident response plans.
- Provided representation and legal guidance to mitigate risks of privacy and cybersecurity aspects of transactions, including suggestions to public-facing and internal privacy notices and website terms and conditions.
- Coordinated the strategy and response following significant and international data incidents, including directing teams on consumer, contractual, and regulatory notifications.

### **AWARDS**

- *The Best Lawyers in America*® Ones to Watch, Commercial Litigation (2022-2023)
- Thomson Reuters Stand-out Lawyer (2023-2025) – independently rated lawyers
- *Super Lawyers*® Texas Rising Star, Civil Litigation: Defense (2025)

### **TOP AREAS OF FOCUS**

- Class Action
- Litigation + Trial

### **ALL AREAS OF FOCUS**

- Class Action
- Government + Regulatory
- Litigation + Trial

### **PROFESSIONAL/COMMUNITY INVOLVEMENT**

- Member, State Bar of Texas
- DFW chapter board member, Texas General Counsel Forum
- Member, American Bar Association
- Member, Dallas Bar Association
- Member, Houston Bar Association
- Member, Austin College Alumni Board
- Executive committee and president elect, board of trustees, PATH Intl (Professional Association of Therapeutic Horsemanship)
- Member, finance committee
- Former chair, governance committee

- Former member, grievance review panel
- Former member, bylaws subcommittee

## **EDUCATION AND CERTIFICATIONS**

### **EDUCATION**

- The University of Texas School of Law, J.D., *with honors*
- Austin College, B.A., *summa cum laude*

### **BAR ADMISSIONS**

- Texas

### **COURT ADMISSIONS**

- U.S. District Court, Northern District of Texas
- U.S. District Court, Southern District of Texas
- U.S. District Court, Eastern District of Texas
- U.S. District Court, Western District of Texas

## **SPEAKING ENGAGEMENTS**

- Speaker, “Gearing up for Privacy and Cybersecurity in 2021: Cyber Updates,” Locke Lord, May 6, 2021.
- Speaker, “Legal Ethics and Client Advocacy in Civil Litigation: The Lawyer’s Perspective,” Dr. Kenneth Street Law Symposium, Legal Ethics and Client Advocacy in Civil and Criminal Litigation, February 28, 2020.

## **PUBLICATIONS**

- Co-author, “Developments in Energy Pipeline Security: TSA Directives, and Recommendations for Owners and Operators,” Locke Lord QuickStudy, October 5, 2021.
- Co-author, “Beyond Borders: COVID-19 Highlights the Potential Widespread Impact of the Illinois Biometric Information Privacy Act,” *Privacy & Cybersecurity Law Report*, September 2, 2020.
- Co-author, “Beyond Borders: COVID-19 Highlights the Potential Widespread Impact of the Illinois Biometric Information Privacy Act (‘BIPA’),” Locke Lord QuickStudy, May 20, 2020.