



BRANDI J. MCKAY

PARTNER

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BROWN FOX

BRANDI MCKAY IS AN EXPERIENCED TRIAL ATTORNEY whose first priority has always been her clients. Persuasive and successful, over twenty years of experience has led her to be well-versed on issues such as fraud, licensing, trade secrets, and products liability, with an emphasis on employment and commercial litigation.

As a sophisticated legal counselor, Ms. McKay has extensive knowledge in both local and national proceedings and has represented clients in a wide array of industries ranging from hospitality, healthcare, banking, debt collection, oil and gas, pharmaceutical and medical device, aviation, construction, technology, and manufacturing.

An alumna of Pepperdine University, Ms. McKay practices law in both Texas and California, and her problem-solving skills and attention to detail gives her a unique perspective for her clients' businesses. As a respected and experienced member of the bar, Ms. McKay serves as local counsel for matters pending in Collin County and the Eastern District of Texas.



EXPERIENCE

- » Federal jury trial victory on behalf of national motel chain accused of fraud in a real estate transaction, after successfully winning summary judgment motion on six additional claims. *Ohio Six Ltd. v. Motel 6 Operating LP and ACCOR North America*, No. 2:11-CV-08102 (C.D. Cal. Jan. 7, 2014).
- » Effectively obtained a writ of sequestration on behalf of national bank leading to successful repossession of secured collateral (jet aircraft). *Sovereign Bank v. Capital Holding 182, LLC, et al.*, No. CV13-0603 (43rd District Court, Parker County, Texas, April 13, 2013); *Sovereign Bank v. Life Settlement Equipment Leasing, LLC, et al.*, No. CV13-0606 (43rd District Court, Parker County, Texas, April 13, 2013).
- » Successfully obtained dismissal of claims against wrongfully joined individual defendant and successful transfer of suit to federal court under contractual provision designating choice of law and venue. *Cardiovascular Support, et al. v. SpecialtyCare Inc., et al.*, No. 3:13-CV-01718 (N.D. Tex., Sept. 17, 2013).
- » Effectively obtained a writ of sequestration on behalf of national bank leading to successful repossession and third-party sale of secured collateral (jet aircraft), and positive settlement of claims. *Sovereign Bank v. Jet Squared, LLC, et al.*, No. C201000732 (413th District Court, Johnson County, Texas Dec. 19, 2012).
- » Successfully defended commercial real estate brokerage firm in a suit alleging breach of fiduciary duty and negligence claims. *Kenneth LaPlante, et al. v. Regency Centers, L.P., et al.*, No. DC-12-04676 (192ND District Court, Dallas County, Texas January 23, 2014).
- » Obtained favorable resolution of claims involving breach of warranty, negligence and products liability filed on behalf of major dairy farm related to the manufacturing, distribution, and installation of barn and milking parlor. *Horizon Organic Dairy, LLC v. EAC Engineering, Inc., et al.*, No. CV-OC 10-23234 (4TH District Court, Ada County, Idaho August 15, 2012).

- » Obtained a favorable settlement against aircraft manufacturer and component manufacturer for claims of a breach of warranty, breach of contract and fraud claims involving alleged defects in two aircraft. *Chinn Aircraft Holdings LLC, et al. v. Cessna Aircraft Company, et al.*, No. 348-245792-10 (348th District Court, Tarrant County, Texas September 9, 2012).
- » Effectively obtained a writ of sequestration on behalf of equipment financier leading to successful repossession of heavy machinery. *Volvo Financial Services v. Sergio Alberto Lamas*, No. 2011-708 (346th District Court, El Paso County, Texas September 14, 2011).
- » Obtained dismissal of claims brought by restaurant tenant against court-appointed receiver for major commercial property landlord. *House of Blues Houston Restaurant Corp. v. Mark Fowler, Receiver, et al.*, No. 2012-24990 (11th District Court, Harris County, Texas December 4, 2012).
- » Successfully obtained dismissal of claims involving negligence and indemnification brought against client who performed horizontal directional drilling. *Tres Palacios Gas Storage LLC v. Mr. & Mrs. Elray Matzke, et al.*, No. 42712 (329th District Court, Wharton County, Texas November 26, 2013).
- » Successfully obtained a temporary restraining order enforcing non-compete provision within medical partnership agreement. *North Texas Children's Anesthesia, L.L.P. v. Christopher A. Clarke, M.D.*, No. 296-0150-2011 (296th District Court, Collin County, Texas June 16, 2011).

PUBLICATIONS

- » Co-Author, *The Negative Impact of Litigation on Women's Health Care*, *Gender Medicine*, November 2005
- » Frequent Lecturer on Medical Products and the Law at the Regulatory Science Graduate Program, University of Southern California



ADMISSIONS

- » State Bar of Texas (2010)
- » State Bar of California (1999)
- » United States District Courts for the Eastern, Northern, Western, and Southern Districts of Texas and Central, Northern, and Southern Districts of California
- » United States Court of Appeals for the Fifth and Ninth Circuits



AFFILIATIONS

- » Member, Labor and Employment Section of Texas State Bar
- » Member, Dallas Bar Association
- » Member, Collin County Bar Association
- » Member, Curt B. Henderson American Inn of Court



EDUCATION

- » Master's in Dispute Resolution, Straus Institute of Dispute Resolution at Pepperdine University, 2009
- » Juris Doctor, Pepperdine University School of Law, 1999
- » Bachelor of Arts, Pepperdine University, 1995



HONORS

- » Recognized as a “Southern California Super Lawyer–Rising Star,” 2005-2007
- » Phi Alpha Delta, Vice Chair, 1998 – 1999
- » Straus Institute of Dispute Resolution Fellowship 1999-2000
- » Order of Barristers, 1999
- » Pepperdine Honors Appellate Advocacy 1998-1999
- » Pepperdine National Moot Court Team 1998-1999
- » Finalist, Vincent S. Dalsimer Moot Court Competition, 1998 – 1999
- » First Place, Robert J. Traynor Moot Court Competition, 1998 – 1999
- » Semi-Finalist, Hispanic National Bar Moot Court Competition, 1997 – 1998



IN THE COMMUNITY

- » Member, Junior League of Collin County (Chair of the Economic Insecurities Committee 2020-2021)
- » Secretary and Member, Board of Directors for Boys and Girls Clubs of Collin County
- » Member, Board of Directors for [Harmony Community Development Corporation](#)
- » Leadership Frisco, Class XVIII

MORE ABOUT BRANDI J. MCKAY

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