



Heather Barger

Counsel

Heather.Barger@haynesboone.com

Dallas

+1 214.651.5047

PRACTICES Litigation, Texas Business Courts Task Force, Employment Litigation, Trade Secret Litigation, Products Liability Litigation, Privacy and Data Security, Crisis Management

Heather Barger is a pragmatic and proactive trial attorney with experience across all phases of litigation, including helping clients navigate pre-suit settlements, aggressive discovery fights, emergency hearings, mediations, and trials. She has experience before a variety of courts and is a member of the firm's Texas Business Courts Task Force. Clients trust Heather to partner with them to manage their risk exposure whether in the throes of a crisis or when facing lengthy litigation.

Heather's agility and experience across industries makes her comfortable in any setting from a boardroom to a factory floor, which allows her to develop a deep understanding for her client's business practices and develop trust with witnesses, consultants, and jurors. Heather's agility and experience contributed to her recognition by the *Best Lawyers of America* as "One to Watch" for Commercial Litigation.

Heather zealously advocates for clients across several industries including manufacturing, telecommunications, aviation, financial services, and food and beverage. While Heather has handled a wide range of complex commercial disputes, including breach of contract, fraud, product liability, and cybersecurity actions, she has extensive experience with trade secret misappropriation claims, employee raid cases, and unfair competition disputes.

Heather strives to live by the principal of *serviam*, applying her dedication to service to both her client relationships and her pro bono work, which includes work for asylum refugees, civil rights claimants, and underserved women. Prior to that, Heather served as an inner-city elementary school reading teacher in Washington, D.C. with Teach For America, where she learned and honed a variety of skills that translate into her daily practice, including tenacity and exceptional story-telling. Heather further developed those skills during her time at SMU Dedman School of Law, where she served as President of the SMU Law Review, a judicial extern for the Honorable Jorge A. Solis of the U.S. District Court for the Northern District of Texas, and a student attorney with the SMU Criminal Justice Clinic, where she won her first trial.

QUALIFICATIONS

EDUCATION

HAYNES BOONE

- J.D., Southern Methodist University Dedman School of Law, 2014, cum laude; President, *SMU Law Review Association*
- M.Ed., George Mason University, 2011
- B.A., Plan II Honors and Government Honors, The University of Texas at Austin, 2009

CLERKSHIPS

- Extern to The Honorable Jorge A. Solis, U.S. District Court, Northern District of Texas, 2013;
Intern to The Honorable Mary Murphy, Texas Court of Appeals, Fifth District, 2012

ADMISSIONS

- Texas

COURT ADMISSIONS

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

PUBLICATIONS AND SPEAKING ENGAGEMENTS

- “Preservation in the Time of Coronavirus,” speaker, hosted by the Texas General Counsel Forum, June 2020.
- “A Day in the Life of Lee Lawyer,” presenter, personal and ethical liability issues for corporate counsel, September 2019, March 2020

PROFESSIONAL AFFILIATIONS AND ENGAGEMENTS

- Dallas Association of Young Lawyers
- Santa Clara of Assisi Catholic School Advisory Council, Board Member
- Human Rights Initiative of North Texas, Attorney Volunteer
- Attorneys Serving the Community, Member
- Leadership Council on Legal Diversity, Pathfinders Program, Class of 2019
- Dallas Regional Chamber Young Professionals, Lead YP Program, Class of 2020
- Ursuline Academy Alumnae Association

SELECTED CLIENT REPRESENTATIONS

- Served as trial counsel for the domestic subsidiary of one of the world’s largest construction product companies in a two-week trial to enforce noncompete obligations arising from their purchase of a company for hundreds of millions of dollars.
- Secured the dismissal of claims seeking \$140 million at trial for fraud arising out of the sale of a manufacturing company.
- Secured a temporary restraining order and temporary injunction under the Texas Uniform Trade Secrets Act to prevent dissemination of an employer’s trade secrets by a former employee who absconded with them to start a new company.

HAYNES BOONE

- Secured early dismissal under the Texas Citizens Participation Act for a commercial building products supplier in trade secret misappropriation case.
- Served as trial counsel for an engineering firm in an employee lift-out case against its former regional executive and its market competitor who colluded to take nearly half of the region's employees and contracts and obtained favorable summary judgment rulings.
- Served as trial counsel in defense of an actuarial consulting firm against claims for malpractice and breach of contract by a former client.
- Secured a favorable settlement for a pharmaceutical sales company in litigation brought by a competitor against the company and its new employee over misappropriation of trade secrets and breach of noncompetition obligations.
- Served as crisis counsel for an international manufacturing company during an internal investigation into record keeping irregularities for a domestic subsidiary.
- Represented clients in the insurance, health care, and food and beverage industries in connection with cyberattacks and ensuing data breaches.
- Assisted with multi-pronged government raid to seize contraband materials.
- Served as trial and appellate counsel for a major wireless telecommunications provider for wrongful death claims in federal court and obtained dismissal at the trial level and affirmance before the Fifth Circuit on the basis that the client was entitled to 911 service provider immunity.
- Secured a favorable settlement at mediation for a major airline in a wrongful-death case.
- Secured asylum for an Ethiopian refugee fleeing persecution for his political beliefs and for a Salvadoran transgender woman fleeing persecution for her gender identity and sexual orientation in federal bench trials.

Some of these representations were handled by Heather prior to joining Haynes Boone.

AWARDS AND RECOGNITIONS

- Recognized in "Ones to Watch," *Best Lawyers in America*, Woodward/White, Inc., 2022- 2024
- Dallas Volunteer Attorney Program, Volunteer of the Month, January 2022