



## Hon. Karen Brown Willcutts (Former), FCI Arb

### Case Manager

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### General Biography

**Hon. Karen Brown Willcutts (Former)** combines over 30 years of experience as a trial lawyer, judge, mediator, and arbitrator with her efficient case management skills to effectively and efficiently resolve a wide range of civil litigation matters at JAMS. She is known for her ability to quickly grasp the issues in any legal matter, and is empathetic, persistent, creative, and hardworking.

As an arbitrator and special master, she strives to be well prepared, provide the parties with a full and fair hearing as expeditiously as possible and render a timely decision that is in accordance with the law and the evidence. As a mediator, she assists the parties in exploring every possible avenue to resolve their dispute.

### ADR Experience and Qualifications

- Served as a mediator and arbitrator in numerous matters involving breach of contract, insurance coverage disputes, partnership dissolutions, violations of non-compete and non-solicitation clauses, embezzlement, civil theft, breach of fiduciary duty, consumer protection complaints, wrongful termination, employment discrimination, class action conspiracy to commit fraud, derivative actions, business torts, personal injury, environmental clean-up, and many others.
- Fellow of the Chartered Institute of Arbitrators

### Representative Matters

- **Appeals:** Appeal of summary judgment granted by trial court in complex breach of contract case
- **Business/Commercial:** Building contractor sued concrete company for breach of contract, fraud, and violations of the Texas Deceptive Trade Practices Act, arising out of the sale of allegedly defective concrete
- **Business/Commercial:** Civil suit brought by the State of Texas against an individual for violations of the Texas Deceptive Trade Practices Act and engaging in the unauthorized practice of law
- **Employment:** Negotiated settlement of arbitration proceeding brought by entertainment executive against his

former employer in case involving claims in excess of \$1 million

- **Employment:** Age discrimination and wrongful termination claim brought by security officer against defense contractor
- **Environmental:** Arbitrated to conclusion case involving a multi-million dollar claim for environmental clean-up costs by a purchaser of gasoline stations against a national oil company
- **Finance:** Dispute between homeowner and mortgage company arising out of the refinance of home equity loan
- **Healthcare:** Wrongful termination suit brought by healthcare worker against hospital
- **Healthcare:** Sole arbitrator in contract dispute between hospital and third party administrator
- **Healthcare:** Claim by hospital against insurance company for damages arising out of alleged underpayment of medical bills
- **Insurance:** Multi-million dollar class action brought by consumers/insureds against software companies and insurers claiming breach of contract, fraud, and conspiracy
- **Insurance:** Insurance company brought suit against former executive alleging conversion, civil theft, embezzlement, breach of fiduciary duty, tortious interference with existing and prospective contracts, and unjust enrichment
- **Real Property:** Suit for damages and rescission by buyer against seller of home, realtor, real estate company, and inspection company alleging breach of contract, fraudulent inducement, and deceptive trade practices

## Honors, Memberships, and Professional Activities

### • Selected Articles

- Author, "Partnering with Outside Counsel to Effectively Manage Commercial Arbitrations," Corporate Counsel, June 2017
- Author, "Show Me the Money! Damage Analysis is Key to Settling Complex Commercial Cases," Texas Lawyer, May 2017
- Author, "Damage Analysis Is Key To Settling Complex Cases," Law 360, June 2016
- Author, "How to Expand an Arbitrator's Authority without Really Trying," Texas Lawyer, May 2015
- Co-author, "Forum 2013 Intensive Program: Mediation," published for American Bar Association's Forum on Franchising, Mediation Intensive Program, October 2013
- Author, "Arbitration: Still an Effective Method of Resolving Business Disputes?," Dallas Bar Association Headnotes, December 2011
- Author, "Preparation: An Important Key to a Successful Mediation," Dallas Bar Association Headnotes, September 2007
- Author, "Mediation and Arbitration Update," Texas Bar CLE "Winning Before Trial," March 2007

### • Honors

- Selected as a Best Lawyer in Alternative Dispute Resolution/Mediation, D Magazine, 2011, 2014-2018
- Selected as a Best Woman Lawyer in Alternative Dispute Resolution/Mediation, D Magazine, 2010
- AV Pre-Eminent Peer Review Rating, Martindale-Hubbell

### • Memberships

- Advisory Board Member, Center for American and International Law
  - Institute for Energy Law
- Member, Dallas Bar Association
  - Alternative Dispute Resolution
  - Antitrust and Trade Regulation
  - Business Litigation
  - Energy Law
  - Franchise & Distribution Law
  - International Law
  - Labor and Employment

- Member, State Bar of Texas
  - Alternative Dispute Resolution
  - Antitrust and Business Litigation
  - International Law
  - Labor and Employment
  - Litigation
- Member, Attorneys Serving the Community, 1994-present (co-chaired several committees)
- **Professional Activities**
  - Adjunct Professor, Arbitration Law and Advocacy, Texas Wesleyan University School of Law, Spring 2010
  - Past Chair, Antitrust and Business Litigation Section, State Bar of Texas, 1997-1998 (council member, 1992-1999)
  - Advisory Board Member, Institute for Energy Law, Center for American and International Law
  - Fellow, Chartered Institute of Arbitrators
  - Received Diploma in International Arbitration
  - Life Fellow, Texas Bar Foundation
- **Selected Speaking Engagements**
  - Panelist, Mediation in the Oil and Gas Industry, Current Trends and a Look into the Future, Institute for Energy Law, March 2016
  - Panelist, "Arbitrators and Judges Panel: Experts in Arbitration," Forensic Expert Witness Association, 2014
  - Co-panelist, "Mediation Intensive," American Bar Association Forum on Franchising, 2013
  - Panelist, "Arbitrators' and Judges' Panel: Tips for Your Case," University of Texas School of Law 2012 Construction Law Symposium, 2012
  - Co-presenter, "Maximizing Arbitration Efficiency and Effectiveness," Dallas Bar Association's Labor and Employment Section, 2011
  - Co-presenter, "Arbitration," North Texas Conflict Resolution Conference, 2008
  - Presenter, "Mediation and Arbitration," North Texas Paralegal Association, 2007
  - Presenter, "Mediation and Arbitration Update," Texas Bar CLE "Winning Before Trial", 2007
  - Co-presenter, "Da Ethics Code: Unveiling the Ethical Mysteries in Labor/Employment ADR," Employment Law Section of the Dallas Bar Association, 2006

## Background and Education

- Civil Associate Judge (formerly, Civil Court Master), Dallas County, TX, 2002-2004
- Partner, Strasburger & Price, LLP, Dallas, 1985-2002 (Associate, 1985-1991; Partner, 1992-2001; Of Counsel, January-October 2002)
- J.D., with honors, University of Texas School of Law
- B.A., with high honors, University of Texas at Arlington

## PRACTICE AREAS

Antitrust

Arbitration

Business/Commercial

Employment

Energy/Utility

Governmental/Public Agency

Insurance

Intellectual Property

Personal Injury/Torts

Professional Liability

Securities

Special Master/Discovery Referee

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