



## Kim J. Askew

Ms. Askew represents clients in complex commercial and employment litigation. She has successfully tried cases to jury verdicts in her primary areas of practice in state and federal district courts around the country and handled appeals before the Texas Courts of Appeals and the Fourth, Fifth and Eighth Circuit Courts of Appeals.

Kim is a long-time leader in the State Bar of Texas, having served as Chair of the Board of Directors in 2003-04 after service as chair of the Section of Litigation and the Continuing Legal Education Committee. Kim is a Past Chair of the Section of Litigation of the American Bar Association, the first lawyer of color to have held the office of chair in this prestigious national position. She is a member of the Council of The American Law Institute, chairs the Committee on Institute Size and is a member of the Special Committee on Strategic Communications. She is a frequent writer and speaker on discovery, evidentiary, business litigation, and employment law topics.

### DALLAS OFFICE

214.939.5579 TEL

214.939.5849 FAX

kim.askew@klgates.com

Ms. Askew's areas of emphasis are:

- Complex commercial litigation
- Employment litigation

### PROFESSIONAL BACKGROUND

- Clerkship with Jerry Buchmeyer, former Chief Judge, U.S. District Court, Northern District of Texas, 1983-84

### PRESENTATIONS

- *Privileges*, 20<sup>th</sup> Annual Advanced Evidence and Discovery Course, State Bar of Texas, May 2008
- *State and Federal Privileges Update 2008*, Litigation Update Institute, State Bar of Texas, January 2008
- 20<sup>th</sup> Annual Advanced Evidence and Discovery Course, State Bar of Texas, May 2007
- *State and Federal Privileges Update 2006*; State Bar of Texas
- *Privileges*, 19<sup>th</sup> Annual Advanced Evidence and Discovery Course, State Bar of Texas, May 2006
- *Civil Procedure Update: Discovery and Evidence*, Litigation Update Institute 2006, State Bar of Texas, January 2006
- State Bar of Texas, New Lawyer Course: *How to Succeed In Your First Trial or Transaction: Keys to Victory in the Courtroom or the Boardroom*, 2008, 2007, 2006, and 2005
- State Bar of Texas, Litigation Update Institute 2006, *Civil Procedure Update: Discovery and Evidence*, January 2006
- *Age Issues in the New Millennium*, Employment Law and Litigation Institute, Georgetown University Law Center Continuing Legal Education, April 2004
- *Experts in Employment Law Litigation*, 4th Annual Advanced Expert Witness Course, State Bar of Texas, 2004
- State Bar of Texas, Ultimate Trial Notebook 2004, Evidence Panel
- State Bar of Texas, New Lawyer Course, *Your Day in Court — Getting Through Your First Trial like a Pro*, March 2004

## Kim J. Askew

- State Bar of Texas, Litigation Update Institute, *Discovery and Privileges Update 2003-2004*, 2004
- State Bar of Texas, Advanced Civil Trial Course, *Privilege Update 2003*
- State Bar of Texas, Advanced In-House Counsel Course, 2003
- *Employment Issues: After the 2002 and 2003 U.S. Supreme Court Decisions*
- State Bar of Texas, Litigation Update Institute, January 2003 *Discovery and Procedure Update 2002-03*
- *Texas Business Litigation Update 2002-03*, State Bar College Spring Training, 2003
- *Discovery and Privileges Update 2003*, Advanced Evidence and Discovery Course, State Bar of Texas in March and May 2003
- *Retaliation: Law and Tactics*, 20th Annual Employment Law and Litigation Institute, Georgetown University Law Center, 2002
- Veterans Rights to Reemployment and Prohibited Discrimination under the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), *Emerging Issues in Labor and Employment Law and Litigation Coping with the Changed Workplace since 9/11*, ALI-ABA Video Law Review, 2002
- *Privileges Update, Federal and State Courts – Texas 2002*, 15th Annual Advanced Evidence and Discovery Course, State Bar of Texas, Dallas, 2002
- *Discovery Update 2002 (Yes—the rules are still evolving!)*, TADC Fall Meeting, 2002
- *Texas Business Litigation Update July 2002*, State Bar of Texas, 5th Annual Advanced Civil Trial Course 2002

### PUBLICATIONS

- Co-authored Texas Civil Pretrial Practice for West Publishing

### PROFESSIONAL/CIVIC ACTIVITIES

- Council American Law Institute
  - Chair, Committee on Institute Size
  - Member, Special Committee on Strategic Communications
- American Bar Association
  - Member, House of Delegates
  - Standing Committees
    - Chair, Federal Judiciary, 2008-09
    - Federal Judiciary, 2005-08
    - Rules and Calendar, 2004-06
    - Presidential Nominations Committee, 2004-05
    - Council for the Fund for Justice and Education, 2004-05
    - Continuing Legal Education, 2000-03
    - Meetings and Travel, 1997-2000
  - Section of Litigation
    - Past Chair
    - Immediate Past Chair, 2007-08
    - Chair, 2006-07

## Kim J. Askew

- Chair-Elect, 2005-06
  - Vice Chair, 2004-05
  - Secretary, 2002-04
  - Reserves Committee, 2004-05
  - Finance Committee, 2004-05
  - Diversity Plan Implementation Working Group, 2004-06
  - Task Force on the Minority Trial Lawyer
- Commission on Women in the Profession, 1993-97
- Section Officer's Conference, 2004-07
- State Bar of Texas
  - Past Chair
  - Immediate Past Chair of the Board, 2004-05
  - Chair, Board of Directors, 2003-04
  - Board Member, 2001-05
  - Chair, Section of Litigation, 2001-02, Emeritus Member
  - Chair, Continuing Legal Education Committee, 1997-2000
  - Chair, Evidentiary Panel, District 6A Grievance Committee
- Dallas Bar Association
  - Representative to ABA House of Delegates
  - Former Co-Chair, Judiciary Committee
  - Diversity Committee
- Texas Women Lawyers
- Board of Directors and Co-Chair, Evaluation Committee, Dallas Committee for a Qualified Judiciary
- Georgetown University
  - Board of Regents (2000-06)
  - Board of Visitors – Law School (2006 – present)
  - National Alumni Board – Law School (2000 – present)
- Board of Directors, Victims Outreach
- Advisory Council, Dallas Center for the Performing Arts
- Board of Directors, Dallas Museum of Art
  - Executive Committee, 2004-06
- Former Director, Greater Dallas Chamber of Commerce
- Former Trustee, Paul Quinn College
- Former Director, Junior League of Dallas
- *Pro bono* projects

### COURT ADMISSIONS

- U.S. Supreme Court
- U.S. Court of Appeals, Fifth Circuit
- U.S. Court of Appeals, Fourth Circuit
- U.S. Court of Appeals, Eighth Circuit
- U.S. District Court, Northern District of Texas
- U.S. District Court, Eastern District of Texas

### BAR MEMBERSHIP

District of Columbia

## Kim J. Askew

Texas

### EDUCATION

J.D., Georgetown University, 1983

B.A., Knoxville College, 1979 (*summa cum laude*)

### ACHIEVEMENTS

- Extraordinary Women in Texas Law - 2008, *Texas Lawyer*
- Texas Super Lawyer, *Law & Politics Magazine* and *Texas Monthly*, 2003, 2004, 2005, 2006, 2007 and 2008
- *Best Lawyers in America*, Commercial Litigation, 2003, 2005, 2006, 2007 and 2009
- Dynamic Lawyers in Dallas 2007, *Eclipse Magazine*
- Dallas Junior Forum, Women of Distinction Award 2007
- Profiles in Leadership Award - Women's Symposium, Southern Methodist University, 2007
- Women Who Soar Award, 2007
- Law Dragon 500, *The Leading Litigators in America*, 2005 and 2006
- Best Lawyers in Dallas, Labor and Employment, *D Magazine*, 2003, 2005 and 2008
- She Knows Where She's Going Award, Girls Inc. of Dallas, April 2004
- Trailblazer Award, J. L. Turner Legal Association, 2003
- Louise Raggio Award, Dallas Women Lawyers Association, 2003
- Presidential Citations, State Bar of Texas, 2000 and 2004
- Gene Cavin Award, State Bar of Texas, 1999
- Outstanding Alumnae, Georgetown University Law School, 1999

### REPRESENTATIVE EXPERIENCE

- Successfully defended a *Fortune 50* company in an employment discrimination case and obtained a take-nothing jury verdict on behalf of another *Fortune 50* company in an \$800 million breach of contract and fraud case.
- Led winning teams and have successfully tried to jury verdict cases brought under the Americans with Disabilities Act, Age Discrimination in Employment Act, Title VII, Texas Commission on Human Rights Act, ERISA, and other state and federal employment laws.
- Led winning teams and have successfully tried to jury verdict cases for *Fortune 500* companies for breach of contract, tortious interference with contract, fraud, securities, and other complex commercial claims.
- Handled whistleblower claims as part of employment cases under state and federal statutes.
- Conducted internal investigations of issues arising under federal and state employment laws for *Fortune 100* companies and leading law firms.
- Won on summary judgment employment claims involving some \$22 million in damages under stock options and executive compensation agreements. Case affirmed on appeal at *Miracle v. Networth*, 2000 WL 1073611 (Tex. App. – Dallas 2000, pet. denied.)
- Won on summary judgment a high-profile case brought against a local school

## Kim J. Askew

district and public figures involving qualified immunity, First Amendment and Federal Wiretap Act claims. *Carver Dan Peavy v. Dallas Independent School District and Sandy Kress*, 57 F.Supp.2d 382 (N.D. Tex. 1999).

- Won on summary judgment a case of “first impression” in the Second Circuit on coverage of the Lanham Act and the First Amendment to claims of a company using the name of a political party affiliated with an independent candidate. Case affirmed at *United We Stand America, Inc. v. United We Stand America New York, Inc.*, 941 F. Supp. 39 (S.D.N.Y. 1996), aff’d, 128 F.3d 86 (2d Cir. 1997).