Deborah S. Coldwell

Partner

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PRACTICES Litigation, Franchise and Distribution, Franchise Litigation, Media and Entertainment Litigation, Procurement and Supply Chain Management, Food, Beverage and Restaurant, Trademark Litigation, Sports Law, Media, Entertainment and Sports, Hospitality, Retail

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Deborah Coldwell represents franchisors, distributors, joint ventures, limited liability companies, partnerships, and the individuals who run those companies in jury trials, bench trials and arbitrations. She has litigated across several industries – from hotels and restaurants to health clubs and tax preparation services to product and service-based franchise and distribution networks.

Deb will help bring a business solution to a dispute when possible and is skilled in representing clients in mediations and other settlement proceedings. But when litigation is inevitable, she is fully prepared to go to trial or arbitration and to fight for a company and its officers. To that end, in 2022 Deb successfully led a trial team in a franchise case in the Eastern District of Texas, tried a case involving the sale of a franchise company in bankruptcy court, and previously litigated a successful six week jury trial in Texas state court in a joint venture dispute. Ranked nationally in Band 1 by *Chambers USA*, Chambers and Partners, 2009-2023 in the franchise law category, clients have described her as an "outstanding trial lawyer," “very poised, thoughtful and smart,” and as “an especially good advocate.”

Deb loves to organize and motivate teams to accomplish short and long term goals. She is a past chair of the 2,000-plus member American Bar Association Forum on Franchising. She also served the Forum as the editor-in-chief of the Franchise Law Journal and as its publications officer. Deb is currently a Champion at the Center for Women in Law housed at the University of Texas School of Law. She was nominated and is serving a three year term on the Executive Committee of the Center.

Prior to attending law school, Deb worked in restaurants and taught junior high and college. Deb’s unique background helps her bring a practical approach to problem solving and allows her to assist clients to find an individual workable strategy in each case she handles. As a skilled and creative trial lawyer, Deb has the experience and flexibility to provide clients with quality representation on a “one size does not fit all” basis.

QUALIFICATIONS

EDUCATION

- J.D., The University of Texas School of Law, 1990

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- M.A.T., Colorado College, 1979
- B.A., Colorado State University, 1974

LANGUAGES

- Spanish

ADMISSIONS

- Texas

COURT ADMISSIONS

- U.S. Court of Appeals for the Fifth Circuit
- U.S. District Court for the Eastern District of Texas
- 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 Western District of Texas
- U.S. District Court for the District of New Mexico

PUBLICATIONS AND SPEAKING ENGAGEMENTS

- "Recovery of Attorneys' Fees in Franchise Litigation: Success is No Accident!" speaker and co-author, ABA 46th Annual Forum on Franchising, 2023.
- "Franchisor Market Withdrawal: the Continuum and Conundrums," speaker and co-author, IFA legal Symposium, 2023.
- "Secrets to Franchise Litigation Success – No Matter Which Side of the Dispute You Are On!," speaker and co-author, ABA 44th Annual Forum on Franchising, 2021.
- "The Franchise Litigation Handbook, Second Edition," co-editor, *ABA Book Publishing,* August 2021.
- "Franchise Law," co-author, *SMU Annual Texas Survey*, 1998-2023.
- "Practical Strategies to Limit Premises Liability Claims Involving COVID-19," co-author, Franchising.com, September 15, 2020.
- "Forty Years of the Franchise Law Journal," editor and author, *Franchise Law Journal*, Summer 2020.
- "The Road to Purgatory or Paradise? The Devil Is In the Details," speaker and co-author, ABA 42nd Annual Forum on Franchising, 2019.
- "Judicial Update - Encroachment Cases," plenary speaker and author, International Franchise Association Legal Symposium, Washington, D.C., 2019.
- "Pressure Points in Franchise Litigation," speaker and co-author, ABA 38th Annual Forum on Franchising, 2015.

PROFESSIONAL AFFILIATIONS AND ENGAGEMENTS

- Champion and Executive Committee of the Center for Women in Law, The University of Texas School of Law (2023 - 2026)
- The Grant Halliburton Foundation, Board Member (2011-2018); Board Chair (2015-2018)
- ABA Forum on Franchising, Past Chair (2017-present; Immediate Past Chair (2015-2017), Chair (2013-2015); Governing Committee Member (2009-2013); Publications Chair (2009-2013); Leadership (2006-2009)
- ABA Franchise Law Journal, Editor-in-Chief (2006-2009)

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- State Bar of Texas
- American Bar Association
- Dallas Bar Association
- ABA Forum on Franchising

SELECTED CLIENT REPRESENTATIONS

- *Pizza Hut, LLC v. Ronak Foods, LLC*, No. 5:21-CV-00089-RWS, 2022 WL 18456981 (E.D. Tex. Dec. 22, 2022) (awarding franchisor's attorneys' fees sought during litigation of matter.)
- *Pizza Hut, LLC v. Ronak Foods, LLC*, No. 5:21-CV-00089-RWS, 2022 WL 3544403 (E.D. Tex. June 17, 2022) (finding for franchisor on all claims, awarding franchisor its damages, and dismissing all of defendant franchisees' claims.)
- *Dalwadi v. Holiday Hospitality Franchising, Inc.*, No. H-16-2588, 2017 WL 4479962 (S.D. Tex. July 5, 2017) (granting franchisor's motion to dismiss with prejudice.)
- *CBIF Ltd. P'ship v. TGI Friday's Inc.*, 2017 WL 1455407 (Tex. App.- Dallas Apr. 21, 2017, pet. denied) (Convinced a jury, after a six-week trial, to find in favor of dissolving a deadlocked partnership and to award TGI Friday's and its partners millions in damages and attorneys' fees. On appeal, successfully defended the judicial dissolution and damages awards as well as affirming the take-nothing judgment on the opposing parties' claims.)
- *Momentum Marketing Sales & Services, Inc. v. Curves International, Inc.*, No. W-07-CA-048, 2008 WL 11334569 (W.D. Tex. Dec. 17, 2008) (dismissing twenty five franchise and deceptive trade practices act claims from other states because Texas law applied to the franchise agreements.)
- *Momentum Marketing Sales & Services, Inc. v. Curves International, Inc.*, No. W-07-CA-095 and W-07-CA-125, 2009 WL 10669901 (W.D. Tex. July 28, 2009) (dismissing all claims against CEO of company.)

AWARDS AND RECOGNITIONS

- Recognized in *The Best Lawyers in America,* Woodward/White, Inc., for Franchise Law, 2007-2024; Commercial Litigation, 2022-2024
- Selected by *Best Lawyers*, Woodward/White, Inc., as a "Lawyer of the Year" in Franchise Law, 2016 and 2018
- Included in *D Magazine*'s Hall of Fame 2022, D Magazine Partners, honoring those named to the magazine's annual "Best Lawyers of Dallas" directory for more than 15 years
- Recognized by *Chambers USA,* Chambers and Partners, as a nationally recognized franchise lawyer in America, 2009-2023, Band 1 in 2018-2023
- Selected for *Law360*'s Hospitality Editorial Board, 2023
- Nominated by her peers as one of the world's leading franchise practitioners in *The International Who's Who of Franchise Lawyers,* Law Business Research Ltd., 2004, 2006, 2007, 2011; recognized as a Thought Leader for Franchise, 2019, 2023
- Recognized as a Standout Lawyer, Acritas Stars, 2018-2021
- Inducted into inaugural Legal Eagles Hall of Fame, *Franchise Times*, 2013
- Included as a Legal Eagle (top 100 franchise lawyers) in *Franchise Times,* Franchise Times Corp., 2004-2024
- Selected by her peers in *D Magazine,* D Magazine Partners, as one of the "Best Women Lawyers in Dallas," 2010, and as one of the top lawyers in franchise and distribution law in Dallas, 2003-2023

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- Selected as a *Texas Super Lawyer*, Thomson Reuters, 2003-2021
- Selected by *Best Lawyers*, Woodward/White, Inc., as "2012 Dallas Franchise Law Lawyer of the Year," 2012
- *Martindale Hubbell Law Directory* with a Peer Review Rating of AV Preeminent

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