

Heather C. Barger

Senior Associate

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Heather Barger is a litigator who helps clients resolve their commercial disputes in a variety of industries. Her clients include companies in telecommunications, manufacturing, media, health care, aviation, and financial services. Heather represents her clients in contract and warranty disputes, product liability cases, trade secret misappropriation and unfair competition claims, and defamation lawsuits. She has experience in all phases of a dispute, including pre-litigation discussions and appeals. Heather has written and argued dispositive motions, taken depositions, and represented clients in discovery fights as well as led settlement negotiations and assisted in mediation and arbitration.

During law school, Heather served as president of the SMU Law Review Association. She also gained practical experience as a judicial intern for the Honorable Jorge A. Solis of the U.S. District Court for the Northern District of Texas and as a student attorney with the SMU Criminal Justice Clinic, where she won her first case. Before law school, Heather served as a Teach For America corps member in Washington, D.C.

Heather is dedicated to continued service to her community through her work with multiple organizations such as the Dallas Volunteer Attorney Program and Dallas Day School.

Representative Experience

- Secured a temporary restraining order and temporary injunction under the Texas Uniform Trade Secrets Act to prevent dissemination or use of an employer's trade secrets by a former employee who absconded with them.
- Represented a domestic subsidiary of a multibillion-dollar international manufacturing company in a lawsuit to enforce noncompete obligations for a former employee arising from the sale of his company for nearly \$250 million.
- Served as national trial and appellate counsel for a major wireless telecommunications provider in connection with issues surrounding 9-1-1 services liability.
- Obtained complete dismissal of all claims in multiple wrongful death and substantial personal injury cases in federal court for a major telecommunications provider on appeal before the Fifth Circuit.
- Secured a favorable settlement for an employee and his new employer in the pharmaceutical sales market in litigation brought by a former employer in a noncompete action.
- Secured early dismissal under the Texas Citizens Participation Act for a commercial building products supplier.
- Counsel to a domestic subsidiary of a multibillion-dollar international manufacturing company in an ongoing internal investigation.
- Defended an actuarial consulting firm against a claim for actuarial malpractice and breach of contract by a former client.

- Represented a telecommunications engineering firm in an employee poaching action against a competitor firm.
- Secured a favorable settlement at mediation for a major airline in a wrongful-death case.
- Secured dismissal for a major media outlet in a libel case before the Texas Supreme Court.
- Argued a motion requiring the release of records to 501(c)(3) organization members, which resulted in a lawsuit against the director who was embezzling funds.
- Challenged disclosure under the Texas Public Information Act of a client's confidential and proprietary materials submitted as part of an open records request to the city of Dallas.
- Secured a favorable settlement for a large bank in a dispute over entitlement to funds.
- 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.
- Secured full custody and favorable terms in divorce proceedings, including a temporary restraining order against a parent who endangered the children in his care.

Professional & Community Engagement

- Dallas Regional Chamber Lead YP Class of 2020
- Dallas Bar Association
- Dallas Association of Young Lawyers
- Dallas Women Lawyers Association
- Attorneys Serving the Community
- Ursuline Academy Alumnae Association

Education

- Southern Methodist University (J.D., 2014)
- George Mason University (M.Ed., 2011)
- University of Texas at Austin (B.A., 2009)

Admitted to Practice

- Texas

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