



Clayton L. Falls

Partner

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OVERVIEW

Clay Falls is a partner in K&L Gates' Dallas office and concentrates his practice in complex commercial litigation. He represents clients in a broad range of cases as plaintiffs and defendants in both state and federal courts, as well as arbitration proceedings. Clay handles a variety of cases including claims for breach of contract, breach of fiduciary duty, deceptive trade practices, unfair competition, misappropriation and theft of trade secrets, business fraud and negligence.

Clay also has substantial experience representing both landlords and tenants in a wide array of real estate related disputes ranging from commercial lease evictions, lease defaults and construction disputes to breaches of multi-million dollar promissory notes and guaranty agreements. In addition to real estate related disputes, Clay actively manages the representation of REITs and other private investment firms in connection with their real estate acquisitions and dispositions across the country.

Additionally, Clay has experience defending personal injury tort claims including claims for negligence, product liability and premises liability.

In addition to his litigation and commercial disputes experience, Clay serves as primary outside counsel to a number of start-up and emerging growth companies including several technology development companies. He assists his clients in every stage from business formation to intellectual property creation and protection.

ACHIEVEMENTS

- Texas Rising Star, *Super Lawyers*, 2013 - 2018
- Best Lawyers Under 40 in Dallas, *D Magazine* - 2018
- *D Magazine's* Best Lawyers in Dallas – 2022

PROFESSIONAL / CIVIC ACTIVITIES

- State Bar of Texas
- Dallas Bar Association

- Dallas Association of Young Lawyers
- Dallas Volunteer Attorney Program
- Young Texans Against Cancer, Founding Member

SPEAKING ENGAGEMENTS

- *Procedural Rules You May Not Know but Should*, Dallas Bench Bar Conference, September 2016
- K&L Gates Oil and Gas Seminar, October 2008

EDUCATION

- J.D., Southern Methodist University Dedman School of Law, 2005
- B.S., The University of Texas, 2002 (*University Honors*)

ADMISSIONS

- Bar of Texas
- United States District Court for the Eastern District of Texas
- United States District Court for the Northern District of Texas
- United States District Court for the Southern District of Texas
- United States District Court for the Western District of Texas

THOUGHT LEADERSHIP POWERED BY HUB

- May 2022, May 2022 Accolades
- 23 June 2021, Litigation Minute: Provisional Remedies in Federal Court: A Minute on Prejudgment Writs
- 23 January 2019, An Update on Texas's Hailstorm Bill: Courts Require Careful Compliance

AREAS OF FOCUS

- Commercial Disputes
- Construction and Infrastructure
- Financial Institutions and Services Litigation
- Real Estate Litigation

REPRESENTATIVE EXPERIENCE

- Manage Firm representation of numerous private investment firms with the acquisition and disposition of industrial and retail properties across the U.S.
- Serve as outside litigation counsel to large technology research, design and creation firm headquartered in Dallas, Texas
- Manage Firm representation of number one most globally recognized brand of athletic apparel in various litigation matters in jurisdictions across the country
- Represent large healthcare REIT in construction dispute involving tenant and third party contractors and designers
- Represent largest industrial warehousing REIT in the world (over 1 billion sq/ft) in all aspects of landlord tenant disputes including suits for past due rent and damages, evictions, tenant bankruptcies, and disposition of abandoned property, in jurisdictions across the United States
- Represent commercial real estate investment firm with various landlord tenant disputes stemming from retail shopping center portfolios