


Ken Carroll

SENIOR COUNSEL

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When I was with the U.S. attorney's office, an expert witness once told me, "You really do chew on an old bone." It's true that I tend to make my clients' problems my own, think deeply about them and commit to doing whatever it takes to solve them. I don't let things go or give up. Diving into challenging waters is what attracted me to law in the first place.

Ken Carroll is a former federal prosecutor turned litigator who handles a variety of matters. While his practice focuses on appeals and analysis, it includes complex business-related disputes like stockholder derivative actions and other director and officer matters, legal malpractice cases, antitrust issues, class action lawsuits, and federal criminal defense. Whether Ken is in trial, drafting an appellate brief, or analyzing a complex issue of corporate governance, one thing is constant: his commitment to meeting the client's needs.

While Ken understands that succeeding in a case for the client's benefit can involve compromise as well as combat, he fundamentally approaches all matters with the same tenacity he brought to criminal prosecution. And whether his client heads a multinational corporation or is one person with one problem, he makes certain they receive the same level of dedication and careful attention. This approach has earned him peer recognition and numerous accolades. But, more important to Ken, it's what his clients expect of him and what he expects of himself.

A law professor once told Ken that thinking deeply can be like swimming under water: the mind, like the body, rebels; it prefers the surface. But the successful thinkers, the successful attorneys, learn to immerse themselves, to continually force themselves beyond the surface. Ken took this lesson to heart. And his ability to analyze issues and then to craft creative, yet always legitimate arguments and solutions leads to his regularly being called into colleagues' matters to lend his perspective, when they need "The Big Think." He is also relied upon for his ability, at the trial level, to position the client optimally for future appeals, via error preservation, motions, and otherwise.

OUTSIDE OF WORK

While he'd rather be at one of his granddaughters' soccer or volleyball games than almost anywhere else, Ken has several other interests that keep him engaged outside work, including theology and biblical studies from a historical/critical perspective. Ken has a master's degree in music, specifically vocal performance, and he still sings a fair amount. He and his wife are members of their church choir and of the Dallas Symphony Chorus; so, many nights Ken's in some kind of rehearsal or performance at the Meyerson or at church. He's also a big

fan of English football—soccer—and Manchester United, in particular (GGMU!), as well as pretty much anything played by the Texas Longhorns (Hook 'em!).

AREAS OF PRACTICE

- Litigation, Disputes, Appeals
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EDUCATION & ADMISSIONS

Education

- The University of Texas at Austin School of Law, J.D., with high honors, 1979; Member, Friar Society; Chancellors; Order of the Coif; Member, *Texas Law Review*, 1977-1979
- East Texas State University, M.M., 1976
- Lambuth College, B.A., *summa cum laude*, 1975

Clerkships

- Honorable Thomas M. Reavley, U.S. Court of Appeals for the Fifth Circuit, 1979-80

Bar + Court Admissions

- Licensed in Texas
 - U.S. Court of Appeals, Eleventh Circuit
 - U.S. Court of Appeals, Federal Circuit
 - U.S. Court of Appeals, Fifth Circuit
 - U.S. Court of Appeals, Tenth Circuit
 - U.S. Court of Appeals, Third Circuit
 - U.S. District Court, Eastern District, Texas
 - U.S. District Court, Northern District, Texas
 - U.S. District Court, Southern District, Texas
 - U.S. District Court, Western District, Texas
 - U.S. Supreme Court
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HONORS & AWARDS

- Life Fellow, Texas Bar Foundation
- *The Best Lawyers in America*® (BL Rankings), Commercial Litigation and Appellate, 2014–2025
- Leading Litigators in America, Appellate, Antitrust, *Lawdragon 500*, 2023-2025
- Texas Super Lawyers, *Super Lawyers* by Thomson Reuters, Appellate, 2011-2026
- AV Preeminent, Martindale-Hubbell

PROFESSIONAL & COMMUNITY INVOLVEMENT

- Past Chair, Dallas Bar Association, Antitrust & Trade Regulation Section
- Secretary/Treasurer, Dallas Bar Association, Antitrust & Trade Regulation Section
- Past Chair, Dallas Bar Association, Appellate Law Section
- Member, Dallas Bar Association, Business Litigation Section
- Member, State Bar of Texas, Appellate Section
- Former Council, State Bar of Texas, Antitrust and Business Litigation Section
- Former Vice-Chair, Exemptions and Immunities Committee, American Bar Association, Antitrust Law Section
- Dallas Steering Committee, University of Texas School of Law Alumni

PUBLICATIONS & PRESENTATIONS

- Speaker, 2015 in the Rearview Mirror: The Antitrust Year in Review, Dallas Bar Association, Antitrust & Trade Regulation Section, February 2016
- Regular contributor, *Sua Sponte*, Carrington Coleman's Dallas Appellate blog
- Speaker, Removal and Remand: Can I Appeal That?, Dallas Bar Association, Appellate Section, February 2014
- Speaker, Fundamentals of Antitrust Exemptions and Immunities, American Bar Association, Antitrust Law Section, 2009-2010 Antitrust Brown Bag Series, January 2010
- Author, "The Fifth Circuit Raises the Bar for Class Action Certification in Securities Cases Involving the 'Fraud-on-the-Market' Presumption: Oscar Private Equity Investments, et al. v. Allegiance Telecom, Inc., et al., No 05-10791 (5th Cir. May 16, 2007)," Carrington Coleman Securities Class Action Bulletin, May 2007
- Author, "Resale Price Maintenance and the Rule of Reason," Carrington Coleman Competition Law Bulletin, July 2007
- Author, "U.S. Supreme Court Rejects 'Parallel Conduct' Pleading Under Section 1 of the Sherman Act, Retires 'No Set of Facts' Pleading Standards," Carrington Law Bulletin, June 2007
- Author, "Choice of Law and the Geographic Limits of State Antitrust Claims in Texas Courts," Carrington Coleman Competition Law Bulletin, 2007