



## Kenneth 'Ken' Carroll

### Partner

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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." While that made me smile, 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 an array of business-related matters—including stockholder derivative actions and other director and officer matters, legal malpractice cases, antitrust disputes, and class action lawsuits, as well as appeals. 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.

## Areas of Focus

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### Industries

- Financial Services
- Professional Services

### Services

- Appeals and Analysis
- Litigation and Disputes
- Professional Liability
- Securities and Directors & Officers

## Education

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- University of Texas at Austin School of Law, JD, 1979, with high honors
  - Member: Friar Society; Chancellors; Order of the Coif
  - Member: *Texas Law Review*, 1977-1979
- East Texas State University, MM, 1976
- Lambuth College, BA, 1975, summa cum laude

### Clerkships

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

## Admissions

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- Texas, 1979
- District of Columbia, 1981
- U.S. District Court Northern District Texas
- U.S. District Court Southern District Texas
- U.S. District Court Eastern District Texas
- U.S. District Court Western District Texas

- U.S. District Court District of Columbia
- U.S. Court of Appeals Fifth Circuit
- U.S. Court of Appeals Third Circuit
- U.S. Court of Appeals Tenth Circuit
- U.S. Court of Appeals Eleventh Circuit
- U.S. Court of Appeals Federal Circuit
- United States Supreme Court

## Leadership

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

## Recognition

- *Best Lawyers in America* – Commercial Litigation and Appellate, 2014–2024
- Lawdragon 500, Leading Litigators in America, Appellate, Antitrust, 2023-2024
- Rated AV Preeminent by Martindale-Hubbell
- Named to the Texas Super Lawyers list, as published in *Texas Monthly* magazine, 2011-2023



## Speeches/Publications

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- Speaker, *2015 in the Rearview Mirror: The Antitrust Year in Review*, Dallas Bar Association, Antitrust & Trade Regulation Section, February 2016.
- Regular contributor to [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, Section of Antitrust Law, 2009-2010 Antitrust Brown Bag Series, January 2010.
- *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.
- *Resale Price Maintenance and the Rule of Reason*, Carrington Coleman Competition Law Bulletin, July 2007.
- *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.
- *Choice of Law and the Geographic Limits of State Antitrust Claims in Texas Courts*, Carrington Coleman Competition Law Bulletin, 2007.

## Outside of Work

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While I'd rather be at my granddaughter's soccer game than almost anywhere else, I have several other interests that keep me engaged outside work. I have a master's degree in music, specifically vocal performance, and I still sing a fair amount. My wife and I are members of our church choir and of the Dallas Symphony Chorus—so, many nights I'm in some kind of rehearsal. I'm also a big fan of English football—soccer—and Manchester United, in particular (GGMU!). And yes, I do enjoy "Ted Lasso." In fact, I've been to the stadium where they film their matches, which in real life is Crystal Palace's ground in south London, Selhurst Park, a small but raucous venue where the team's eagle mascot flies from goal to goal before matches.