



John P. Kincade

Shareholder; Co-Chair, Financial Services Industry Group

Commercial Litigation; Financial Services; Government Enforcement & Regulated Industries Litigation; Securities Litigation & Enforcement

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Texas Supreme Court - Briefing Attorney

The Honorable Franklin S. Spears, 1986-87

Representative Experience

Securities Litigation, Arbitration, and Enforcement

- Defense of broker/dealers, investment advisors, banks, insurance companies, and their registered persons in FINRA arbitrations and state and federal court lawsuits
- Defense of publicly traded companies and their officers and directors in federal and state court securities class actions and lawsuits
- Defense of regulatory and enforcement matters before SEC, FINRA, State Securities Board, Texas Dept. of Insurance, and Texas Attorney General

Financial Services and Lending

- Representation of banks, insurance companies, mortgage companies, and servicers, in pre-litigation strategies, workouts, co-lender issues and facility syndications, and collection litigation, including extraordinary judicial remedies such as receiverships

Business and Commercial

- Contract, partnership, business torts and fraud, SEC Receivership, and insurance regulatory litigation

Corporate and D&O

- Corporate governance, D&O fiduciary duty and indemnification, proxy disputes, and M&A litigation, including going private litigation

Constitutional

- First Amendment, open meetings/open records, procurement, eminent domain and election law

Education

St. Mary's University School of Law

- J.D., *with distinction*, 1986
- Articles & Symposium Editor, *St. Mary's Law Journal*, 1985-86

University of Texas at Austin

- B.A., Government, 1983
- Texas Cowboys

Professional & Community Involvement

- Securities Industry Association (Compliance & Legal Division)
- American Bar Association (Section of Litigation – Class Actions and Derivative Suits, Securities Litigation, and Litigation Technology)
- Dallas Bar Association (Business Litigation and Securities Sections)
- Texas Bar Foundation
- Dallas Zoological Society (Board of Directors, 2003-present)

Admitted to Practice

- Texas, 1986
- U.S. Supreme Court
- U.S. Court of Appeals for the Fifth Circuit
- U.S. District Court for the Northern, Southern, Eastern and Western Districts of Texas

Presentation Topics

- Attorney Client Privilege
- CMBS and Special Servicing Litigation
- Commercial Arbitration
- Commercial Remedies and Damages
- Insider Trading
- Lender Liability
- Securities Arbitration
- Securities Fraud Litigation