

## Brandon C Marx

### Senior Counsel

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Dallas

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Brandon Marx represents clients in a wide variety of commercial litigation matters, including those for breach of contract; fraud; securities and shareholder disputes; post-acquisition disputes; and cryptocurrency, real estate, and energy-related matters. He handles these matters from inception through completion, including pre-suit investigation, pleading and motion practice, discovery (pre- and post-judgment), mediation, settlement, trial or arbitration, and appeal. Brandon is known for his ability to handle complex matters and his tactical and strategic thinking, analytical reasoning, and attention to detail.

In addition to his law firm experience, Brandon holds the Chartered Financial Analyst (CFA) designation and previously worked as a senior analyst at a well-known investment bank.

### Representative Experience

- Represented a registered investment advisory firm in six separate arbitrations involving claims of an alleged Ponzi scheme. Obtained full defense arbitration award “zeroing out” claims for fraud, securities fraud, and contract claims.
- Represented national gourmet supermarket chain in arbitration with the landlord. The arbitration award declared commercial lease termination was proper and granted a full defense verdict against counterclaims for several million dollars in unpaid rent while recovering substantially all client attorneys’ fees.
- Represented a multilevel marketing company in a lawsuit against a former executive. Obtained preliminary injunction for violation of non-compete agreement.
- Represented multilevel marketing company officer in a breach of contract suit against a business partner. Obtained temporary restraining order to prevent dissipation of assets.
- Represented an individual at both trial and appellate levels in a breach of settlement agreement dispute. The trial court’s grant of summary judgment in favor of the client was affirmed by the court of appeals. *Richardson Communications & Consulting, Inc. v. McNeese*, No. 05-17-00969-CV, 2018 WL

*6521919 (Tex. App. – Dallas Dec. 12, 2018, pet. denied), reh'g denied (Jan. 31, 2019).*

- Represented a telecommunications client in Texas state court in a post-acquisition suit concerning predecessors-in-interest's assets and allegations of product liability, fraud, deceptive trade practices act violations, wrongful death, and survival, and personal injury claims, negligence, and fraudulent transfer claims relating to those assets. The claims against our client were either disposed of by summary judgment or plaintiffs' non-suit without prejudice (prior to all claims against all defendants ultimately being dismissed by plaintiffs with prejudice).
- Represented a cryptocurrency mining company in two breaches of contract disputes with customers.
- Represented a group of defrauded real estate tenant-in-common investors to recover losses arising from the sale of unregistered securities and fraudulent schemes.
- Represented a private energy company in a breach of contract dispute with one of its vendors.\*
- Represented an international oil and gas company and its recruiter in an employment-related breach of contract matter. The suit was dismissed on jurisdictional grounds.\*
- Represented a publicly held company in a securities class action lawsuit.\*

*\*Matter handled prior to joining Foley*

## Awards and Recognition

- *Best Lawyers: Ones to Watch* for Commercial Litigation (2023-2024)

## Affiliations

- Member of the State Bar of Texas

## Community Involvement

- Committee member for Lake Highlands Young Life
- Treasurer and board member for Refugee Resources, Inc.

## Presentations and Publications

- Co-author, "Salt Water Disposal Well Leases Can Pose a Trap for the Unwary," *Foley Energy Current Blog* (March 15, 2023)
- Co-author, "When Real Estate Transactions Bring Real Securities Risks," *Law360* (February 28, 2020)

## Sectors

- [Energy & Infrastructure](#)

## Practice Areas

- [Commercial Litigation](#)
- [Litigation](#)
- [Securities Enforcement & Litigation](#)

## Education

- University of Arkansas School of Law (J.D., magna cum laude, 2015)
- Baylor University (B.A., 2005)

## **Admissions**

- Texas
- U.S. District Court for the Northern, Eastern, and Western Districts of Texas