



## BRETT CHARHON

PARTNER

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### BIOGRAPHY

Brett Charhon is the Managing Partner of Charhon Callahan Robson & Garza. His practice focuses on complex business disputes, intellectual property litigation and corporate investigations. Since founding the firm in 2013, Mr. Charhon has represented numerous large corporations in significant disputes involving, among other things, allegations of fraud, theft of trade secrets, patent infringement, breaches of contract, and breaches of fiduciary duty. Mr. Charhon's clients include Berkshire Hathaway subsidiaries (McLane Company, Inc. and MBM Corp.), Capital Southwest Corporation, Hyla, Cloudflare and Ericsson.

Mr. Charhon also represents a number of family offices and investment firms in Dallas, Texas. For example, he has represented Thomas Hicks (one of America's leading businessmen and the former owner of the Dallas Stars and Texas Rangers) and Mr. Hicks' affiliated companies in numerous cases pending in both state and federal court over the course of the past decade. Mr. Charhon also routinely represents DalFort Capital (and its portfolio companies), Lennox Capital Partners, Crux Capital, Guideboat Capital Partners, Craftsman Capital Partners (and its portfolio companies), and First Capital Group of Texas.

Mr. Charhon also represents executives in connection with their employment disputes and recently represented the Jeremy Welter, the former President of publicly traded Ashford, Inc., in connection with a dispute that resulted in successful severance arrangement.

Mr. Charhon believes in immersing himself in the businesses of the companies he represents to fully understand his clients' objectives both in and out of the courtroom. He is results oriented with a rigorous methodology for preparing complex matters for trial developed during the ten years he practiced at McKool Smith, P.C., in Dallas, Texas. Mr. Charhon was a Shareholder at McKool Smith when he left the firm in 2013.

Mr. Charhon graduated from Tulane University in 1999 with a Bachelor of Arts in History. He attended law school at Southern Methodist University and received his J.D. in 2003. Mr. Charhon is licensed to practice law in Texas and New York.

Mr. Charhon lives in Dallas, Texas, with his partner, Brandy Williams, and their daughter.

### EDUCATION

J.D., Southern Methodist  
University Law School

B.A., Tulane University

### COURT ADMISSIONS

State of Texas

State of New York

The U.S. District Court for the  
Northern District of Texas

The U.S. District Court for the  
Eastern District of Texas

The U.S. District Court for the  
Southern District of Texas

The U.S. District Court for the  
Southern District of New York

The U.S. Courts of Appeals for  
the Federal Circuit

### REPRESENTATIVE CASES

#### McLANE COMPANY, INC.

Mr. Charhon represents McLane Company (a Berkshire Hathaway subsidiary) and its affiliates as lead counsel in numerous cases in jurisdictions throughout the United States. Mr. Charhon represented McLane in a commercial arbitration against Circle K, and has represented McLane in multiple federal court cases including a suit filed in the Eastern District of New York related to New York's Cigarette Marketing Standards Act and a suit filed in the Western District of Texas involving constitutional challenges to the Texas Alcoholic Beverage Code and the TABC's permitting decisions. Mr. Charhon has also represented McLane and its affiliates as lead counsel in over a dozen state court matters in Dallas County, Tarrant County, Potter County and Travis County, including a dispute with a foodservice provider and in various landlord-tenant matters. Mr. Charhon also represented McLane's affiliate, Velocity Freight Transport, Inc., in a case pending in Collin County.

#### CLOUDFLARE

Mr. Charhon has represented Cloudflare, a publicly traded internet

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security company, in numerous intellectual-property matters including a trade-secret misappropriation case brought by Swarmify in the Northern District of California. Mr. Charhon and his colleagues obtained a denial of Swarmify's motion for a preliminary injunction, a dismissal of Swarmify's case with prejudice, and an award of attorney's fees. Mr. Charhon currently represents Cloudflare in a patent infringement case involving Sable Networks pending in the Western District of Texas.

#### RMG NETWORKS

Mr. Charhon has represented RMG Networks as lead counsel in plaintiff and defense matters. Most recently, Mr. Charhon represented RMG in a patent infringement case brought against by Ultravision Technologies, LLC in the Northern District of Texas.

#### AETHON ENERGY MANAGEMENT

Mr. Charhon has represented Aethon Energy Management, an investment firm founded by Albert Huddleston, in numerous litigation matters over the past five years. For example, Mr. Charhon served as Aethon's lead counsel in a breach of contract case involving GE Mobile Water, Inc. pending before the American Arbitration Association and the United States District Court for the District of Colorado.

#### THE AMYN TA GROUP

Mr. Charhon regularly represents that Amynta Group, an insurance services company with more than \$3.5 billion in managed premium and 2,000 associates across North America, Europe and Australia, with is litigation matters. Over the past five years, Mr. Charhon has served as lead counsel for Amynta and its affiliates in more than

ten cases pending in various jurisdictions including Dallas County, Tarrant County, and the American Arbitration Association.

#### CAPITAL SOUTHWEST CORPORATION

Mr. Charhon has represented Capital Southwest Corporation, a publicly traded business-development company, in multiple matters including stockholder litigation against Wellogix, Inc. Capital Southwest filed suit against Wellogix in Dallas County, and Mr. Charhon obtained two injunctions prohibiting Wellogix from entering into two different merger transactions that Capital Southwest alleged violated its rights as a preferred stockholder. Mr. Charhon also represented Capital Southwest at the Fifth District Court of Appeals.

#### LENNOX CAPITAL PARTNERS

Mr. Charhon has represented Lennox Capital Partners and its principal, Richard Squires, in numerous disputes both in and out of the courtroom. Mr. Charhon currently serves as lead counsel for Lennox and its affiliates in connection with fraud and breach of fiduciary duty claims brought in Dallas County against a former business associate.

#### STILLWATER CAPITAL

Mr. Charhon currently represents Stillwater Capital and its principal, Robert Elliott, in connection with claims that are being asserted in connection with a condominium development located in Frisco, Texas.

#### CRAFTSMAN CAPITAL

Mr. Charhon represents Craftsman Capital Partners in its litigation matters. Over the past three years, Mr. Charhon has also represented three of Craftsman's portfolio companies including CMIT Solutions, LLC, ScanData

Systems, Inc. and BOXX Technologies, Inc.

#### DALFORT CAPITAL PARTNERS

Mr. Charhon has represented DalFort Capital Partners, a Dallas-based investment firm, and its affiliated companies, VersaFlex Incorporated and United Eneritech, with both litigation and non-litigation matters over the past five years.

#### CRUX CAPITAL

Mr. Charhon currently serves as Crux Capital's lead counsel in a dispute pending in Dallas County and also represents one of Crux Capital's affiliates, Buff City Soap, in a breach of contract case pending in Dallas County.

#### GUIDEBOAT CAPITAL PARTNERS

Mr. Charhon has represented Guideboat, a Dallas based private equity firm since 2019 including in connection with a breach of contract case filed in Dallas County. The case was resolved via summary judgment in Guideboat's favor in September 2022 and is being appealed.

#### FIRST CAPITAL GROUP OF TEXAS

Mr. Charhon has represented First Capital Group, a growth capital investment firm, as both a plaintiff and a defendant over the last five years in connection with cases filed in both Dallas County and Travis County.

#### CONGRUENT INVESTMENT PARTNERS

Mr. Charhon currently serves as lead counsel for Congruent, an investment firm based in Dallas, in a case pending in Dallas County Texas.

#### HICKS HOLDINGS

Mr. Charhon has represented Thomas Hicks and his affiliated companies for

the last ten years in numerous cases pending in state and federal court. Mr. Charhon also provides Mr. Hicks and his affiliates with legal advice outside the context of litigation.

#### PACESETTER HEALTH

Mr. Charhon has represented Pacesetter Health, a practice management group that partners with podiatry clinics throughout the United States, in connection with a number of litigation and pre-litigation matters.

#### ACRESSA HEALTH

Mr. Charhon served as lead counsel for Accresa Health in 2022 in a breach of contract case brought by Winston & Strawn LLP in Dallas County Texas.

#### HYCROFT, LLC

Mr. Charhon represented Hycroft, a specialty merchant bank, as lead counsel in a dispute involving one of the company's former members in a JAMS arbitration pending in New York. The case was successfully resolved via settlement after a three-day arbitration.

#### HYLA, INC.

Mr. Charhon has served as lead counsel for Hyla, Inc., the global leader in incentivized wireless trade-in programs, as well as a number of Hyla's affiliates (E-Recycling, Flipswap and Cell Again) in disputes before the Delaware Court of Chancery, Texas state court (Dallas County), and arbitration (American Arbitration Association and JAMS). Mr. Charhon recently represented Hyla in a fraudulent transfer case brought in the Central District of California where he obtained dismissal of the case on a motion to dismiss for lack of personal jurisdiction.



#### ERICSSON INC.

Over the last five years, Mr. Charhon has regularly represented Ericsson's interests in litigation including in connection with proceedings pending in the ITC and the Eastern District of Texas.

#### RAIL SOLUTIONS

Mr. Charhon represented Rail Solutions in connection with its breach-of-contract claim against Genesis Energy, LP in Harris County, Texas. The case was ultimately resolved via settlement.

#### CACTUS PIPE & SUPPLY

Mr. Charhon has represented Cactus Supply in numerous commercial disputes, including suits against Apache Oil Company and Ballard Exploration Company, Inc. Mr. Charhon currently represents Cactus Pipe in matters pending in both state and federal court.

#### RANGELINE TAPPING SERVICES

Mr. Charhon served as lead counsel for Rangeline Tapping Services, Inc. in a case in Williamson County, Texas involving claims for breach of contract and breach of fiduciary duty against Brinker Jones Environmental LLC. Mr. Charhon currently represents Rangeline Tapping in a trade-secrets case pending in Dallas County.

#### NATIONAL WASTE MANAGEMENT

Mr. Charhon served as lead counsel for National Waste Management in connection with its lawsuit against Vermeer Equipment filed in Dallas County, Texas.

#### LENNOX INTERNATIONAL

Mr. Charhon served as lead counsel for Lennox International in a breach of contract action against Invensys Con-

trols filed in Dallas County, Texas.

#### STRUCK, INC.

Mr. Charhon represented Struck, a creative agency, in proceedings against Mrs. Fields Cookies involving an alleged breach of contract. The cases were litigated in the Eastern District of Texas and before the American Arbitration Association.

#### YOUNAN PROPERTIES

Mr. Charhon served as lead counsel for Younan Properties in a breach-of-contract case against EXO Resources, Inc. filed in Dallas County.

#### COMMAND CONSULTING GROUP

Mr. Charhon represented Command Consulting Group as lead counsel against NeuralIQ. The case involved breach-of-contract claims and was litigated in the U.S. District Court for the District of Columbia.

#### UNITED ACCESS TECHNOLOGIES

Mr. Charhon represented United Access Technologies in its patent-infringement lawsuits brought in the District of Delaware against Verizon, Qwest, Frontier and AT&T. Mr. Charhon was called upon to first represent United Access following an unfavorable judgment entered by the district court, which was the United States Court of Appeals for the Federal Circuit overturned.