



Katrina Eash

Partner

Dallas

+1 214-453-6477

Katrina is a trial lawyer who concentrates her practice in complex commercial, class action, and intellectual property litigation and also has experience in high-risk employment litigation. She has litigated in both federal and state court in Texas, California, New York, Florida, Delaware, Virginia, and numerous other jurisdictions.

Katrina litigates cases involving patent and trademark infringement allegations, partnership disputes, theft of intellectual property and trade secrets, breaches of contract and fiduciary duties, business torts, non-compete and non-solicitation agreements, unfair competition, corporate espionage, and whistleblowing. Additionally, she has extensive experience defending companies in class-action litigation and regularly handles class claims involving allegations of RICO and securities violations.

She has considerable experience defending and advising direct-selling and multi-level marketing organizations. She is often called in to advise such organizations on Federal Trade Commission and regulatory compliance issues and has successfully defended numerous direct-selling organizations in class actions and other litigation matters.

Katrina has handled all aspects of litigation in state and federal court and has a significant amount of trial experience exceeding most of her peers, having tried more than six cases as first chair or taking an otherwise stand-up role. She has experience in all phases of trial, including pre-trial proceedings, *voir dire*, opening statements, closing arguments, and direct and cross examination of witnesses.

Key Matters

- Obtained dismissal of class claims for multi-level marketing organization in bet-the-company class action after successfully compelling arbitration and enforcement of class-action waiver.
- Representing multiple multi-level marketing organizations in bet-the-company class action litigation involving pyramid scheme allegations under RICO and federal securities laws.
- Advising numerous multi-level marketing organizations regarding amendments to their governing documents and contracts with independent contractors.
- Represented Fortune 100 computer company against patent infringement claims and obtained dismissal of the claims following numerous dispositive and favorable *Markman*
- Represented Fortune 100 computer company against patent infringement claims and after exposing legal flaws in the plaintiff's case, obtained favorable settlement for my client.
- Representing relators in *qui tam* action alleging violations of both federal and state false claims prevention acts related to a clinical laboratory testing conspiracy carried out by Laboratory Corporation of America Holdings.
- Defended loyalty rewards corporation from a hostile takeover of its board of directors by obtaining an injunction preventing the expansion of the board of directors. Decision affirmed by the Texas Court of Appeals.
- Represented large steel fabrication company in bet-the-company suit against competitor. Obtained early injunction against competitor restraining the competitor's theft and unlawful use of trade secrets. After litigating for two years, obtained successful settlement for client on eve of trial.
- Represented private equity fund in case alleging fraud and negligent misrepresentation when portfolio company defaulted on certain debts. Obtained dismissal of all claims against fund totaling more than US\$7M.
- Representing a portfolio of oil and gas companies against wrongful termination and breach of contract allegations.
- Represented a group of vascular surgeons against wrongful termination claims, and obtained dismissal of numerous claims and defendants prior to trial and a take nothing judgment on all remaining claims following trial.

Recognitions

- Named in *Dallas Business Journal's* Women in Business list, 2023
- Recognized by *Benchmark Litigation US* as a "Future Star," 2023–2024
- Named to *Benchmark Litigation's* "40 & Under List," 2020–2023
- Recognized, *The Best Lawyers in America*®, Commercial Litigation, 2024
- Recognized, *The Best Lawyers: Ones to Watch*® in America, Commercial Litigation, 2021–2023
- Named, *Texas Lawyer's* "Texas Trailblazer," 2019
- Named, *Park Cities People's* "20 Under 40," 2019
- Listed, *Texas Lawyer's* Professional Excellence Honors "On the Rise" list, 2019
- Listed, Super Lawyers Rising Stars by *Texas Monthly Magazine* (2018–2019, 2021, and 2023)
- Listed, Up-and-Coming 50: Women Texas Rising Star by *Texas Monthly Magazine* (2023)
- Order of the Coif, SMU Deadman School of Law

Activities

- Co-Chair of the Diversity Committee, Dallas Association of Young Lawyers (2016–2018)
 - Member of the Business and Career Development Committee, Dallas Association of Young Lawyers (2015–2017)
 - Member of the Judiciary Committee, Dallas Association of Young Lawyers (2015–2017)
-

Credentials

EDUCATION

Katrina began her legal career as a law clerk for the Honorable Charles Everingham IV of the U.S. District Court for the Eastern District of Texas, where she gained substantial experience in federal trial practice and, in particular, patent litigation. After Judge Everingham's retirement, Katrina remained a law clerk in the Eastern District of Texas for several months and worked with multiple other district judges in the district. Katrina received her J.D., *magna cum laude*, from Southern Methodist University Dedman School of Law in 2010 where she was a member of the Order of the Coif and the editor of *Annual Survey of Texas Law*. She received her B.A., *summa cum laude*, in broadcast journalism and Spanish from the University of North Texas in 2006.

ADMISSIONS

- Texas

CLERKSHIPS

- USDC - Eastern District of TX for the Honorable Chad Everingham

Related Insights & News

SPEAKING ENGAGEMENTS

- "Legal and Regulatory Updates," DSA Legal & Regulatory Seminar, Co-speaker, Sept. 2023

PUBLICATIONS

Katrina is a regular contributor to Winston & Strawn's [Direct Sellers Update: Regulation, Law & Policy](#) blog.

- "The Texas Supreme Court Resolves Decades of Uncertainty Surrounding the Recovery of Insurance Policy Benefits for Statutory Violations," *The DICTA*, May 2017
- "Preemption – The Preemptive Scope of the Airline Deregulation Act as Amended by the Whistleblower Protection Program," *74 J. AIR L. & COM.* 113, 2009

BLOG

Neora Part II: Lessons About Deceptive Claims

NOVEMBER 2, 2023

SPONSORSHIP

Winston & Strawn Sponsors 2023 Eastern District of Texas Bench Bar Conference

OCTOBER 25, 2023

RECOGNITIONS

Winston & Strawn Recognized in 2024 *Benchmark Litigation*

OCTOBER 6, 2023

BLOG

Neora Part I: The Decision and Its Implications

OCTOBER 5, 2023

RECOGNITIONS

Winston Attorneys Recognized in *The Best Lawyers in America*® 2024

AUGUST 17, 2023

RECOGNITIONS

Winston Partners Named to *Benchmark Litigation's* 2023 40 & Under List

JULY 31, 2023

RECOGNITIONS

Katrina Eash Named as One of *Dallas Business Journal's* Women in Business Award Recipients

JULY 11, 2023

BLOG

The Success By Health (*FTC v. Noland*) Decision and Its Impact on the Direct Sales Industry

JUNE 1, 2023

BLOG

The FTC Attempts (Again) to Lay the Groundwork for Use of Its Penalty Offense Authority: This Time for Deceptive Product Claims

MAY 8, 2023

BLOG

Direct Sellers Should Use the FTC's Recent Distributor Enforcement Actions to Remind Distributors of the Consequences of Deceptive Claims

MARCH 10, 2023

BLOG

No More Non-Competes?

FEBRUARY 9, 2023

SPEAKING ENGAGEMENT

Winston Sponsors 2022 Eastern District of Texas Bench Bar Conference

OCT. 26-28, 2022

Capabilities

Commercial Litigation & Disputes

Class Actions & Group Litigation

Intellectual Property

Government Program Fraud, False Claims Act & Qui Tam Litigation

Trade Secrets, Non Competes & Restrictive Covenants

Antitrust/Competition

Technology Antitrust

Trademark Litigation, Prosecution & Brand Protection

Financial Services

Media & Entertainment