
Curriculum Vitae

ANDREW R. “GATOR” KORN, ESQ.

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Andy Korn is Board Certified in Civil Appellate Law by the Texas Board of Legal Specialization, since 2001. According to the Texas Board of Legal Specialization: 1) Board Certification demonstrates to clients that the attorney is “a true expert” in the specialty area; and 2) of the more than 110,000 attorneys licensed to practice in Texas, only 387 attorneys are Board Certified in Civil Appellate Law.

Andy’s legal ratings are:

Martindale Hubbell: AV Preeminent (The highest peer rating standard. Given to attorneys who are ranked at the highest level of professional excellence for their legal expertise, communication skills, and ethical standards by their peers)

Client Reviews: 97% Recommended (37 Reviews); Client Champion (Platinum) (2018-2023)

AVVO: Superb (10 out of 10)

Client Reviews: 100% 5 of 5 Stars (Recipient of Clients’ Choice Award 2016 & 2017)

Andy was selected to Texas Super Lawyers, a Thomson Reuters service, in 2006, 2009-2023. Based on receiving the highest point totals in the 2016 selection process, Andy served on a Super Lawyers’ “Blue Ribbon Panel.”

Andy was admitted to practice in Texas on November 3, 1989. Andy is admitted to practice before the United States District Courts for the Northern, Southern, Eastern and Western Districts of Texas and the Fifth Circuit Court of Appeals. Andy has over 33 years of experience in commercial litigation, intellectual property litigation, securities litigation and arbitration, tort litigation, constitutional law, employment law and civil rights, including accountant liability, advertiser liability, brokerage liability, security guard liability, personal injury, legal malpractice, libel, slander, DTPA, consumer law, landlord-tenant, breach of contract, copyright, trademark, rights of celebrity, business torts, injunctions, Fair Labor Standards Act, Fair Housing Act, Federal Communications Act, sexual harassment, wrongful termination, employment discrimination, excessive force, unreasonable search and seizure, false arrest, malicious prosecution, enforcement of deed restrictions and non-compete agreements.

Andy has represented Clients before the Fifth Circuit Court of Appeals, Tenth Circuit Court of Appeals, the Supreme Court of Texas, and the following Texas Courts of Appeals:

- First District of Texas at Houston
- Second District of Texas at Fort Worth
- Fourth District of Texas at San Antonio
- Fifth District of Texas at Dallas
- Sixth District of Texas at Texarkana
- Eighth Court of Appeals at El Paso
- Tenth District of Texas at Waco
- Eleventh District of Texas at Eastland
- Twelfth District of Texas at Tyler
- Fourteenth District of Texas at Houston

Andy's judgment enforcement practice involves prosecuting post-judgment writs and proceedings to recover assets. Andy has observed U.S. Marshals and Texas Sheriffs and Constables seize money and property to satisfy civil money judgments over 250 times, in over 30 different Texas Counties.

On August 26, 2016, Andy and his Police Dog LLJA received their Certification in *Currency Detection* from USK9 Unlimited. Andy and K9-LLJA assisted law enforcement by locating hidden cash during the enforcement of writs of execution on civil money judgments.

Andy has represented institutions and companies such as Southwestern Bell Mobile Systems, Inc., KPMG Peat Marwick, Credit Suisse First Boston Mortgage Capital, LLC, Fox Sports Enterprise Productions, Rockstar, Inc., Royal Bank of Canada, and Lottery.com (NASDAQ: LTRY). Andy has represented such well-known individuals as Anthony Robbins, former All-Pro Dallas Cowboy Nate Newton, and former New York Rangers goalie Dan Blackburn. Andy is frequently hired by other attorneys, for local counsel, expert witness, or consulting expert engagements, or for personal representation. Andy has represented brokerages, brokers, and customers in securities related disputes. Andy has served as Lead Counsel in seven arbitrations that resulted in reasoned awards, including: 1) securities arbitration through the NASD; 2) securities, contract, and employment cases before the American Arbitration Association; and 3) an attorney's fee dispute before JAMS. Andy has represented both Democrat and Republican political figures.

Andy handles cases in every region of Texas. Through admission *pro hac vice*, Andy has appeared in cases in several jurisdictions outside of Texas, from coast to coast. For example, since 2013, Andy represented clients in a federal court jury trial in Miami, Florida, in federal court hearings in Los Angeles, California, at evidentiary hearings in a bankruptcy case in New Mexico, in cases before the Court of Chancery of the State of Delaware, and in an arbitration in Los Angeles, California.

Andy was born in Brooklyn, New York on May 7, 1965. Andy received his B.A., *cum laude*, from the University of Pennsylvania in 1986 and his J.D. from Vanderbilt University School of Law in 1989. During Andy's third year of law school, he interned with the Davidson County District Attorney's Office, where he prosecuted misdemeanors and assisted in prosecution of felony cases. Andy was an associate and participating associate in the Litigation Section of the Dallas office of Fulbright & Jaworski, L.L.P. from 1989-1994.

Judges frequently appoint Andy as a Receiver to enforce judgments. For example, since 2017, Andy has been appointed Receiver by seventeen Texas Judges (for cases in Dallas, Collin, Denton, Montgomery, & Smith Counties).

Andy's nickname is the "Gator."

Publications authored:

- *The Ethics of Abstracts of Judgment: Get A-OK with your AOJ*, Dallas Bar Association *Headnotes*, p. 14 (August 2021).
- *When the Writ Hits the Fan. How to safely handle potentially explosive issues on a Writ of Execution*, Sheriffs' Association of Texas 141st Annual Training Conference & Expo (July 30, 2019).
- THE ETHICAL PLEADER. OR, HOW MUCH TRASH CAN I TALK? *Immaterial, impertinent, or scandalous matters in pleadings and communications related to judicial proceedings*, Dallas Bar Association Friday Clinic (held August 21, 2015 – Dallas, Texas).
- *Void Judgments and Orders*, for the Civil Track of the 2014 TEXAS COLLEGE FOR JUDICIAL STUDIES (held May 9, 2014 – Austin, Texas).
- *Exempt Property*, Dallas Bar Association Consumer-Creditor Law Seminar (held September 15, 2009 – Dallas, Texas).

- *DEALING WITH SHERIFFS & CONSTABLES Getting Them to Do the Job*, for the University of Houston Law Foundation Collecting Debts & Judgments for the 2006 and 2007 Seminars, held on:
 - August 16-17, 2007, Houston, Texas and August 23-24, 2007, in Dallas, Texas; and
 - August 17-18, 2006, in Houston, Texas and August 24-25, 2006, in Dallas, Texas.
- *Seized Currency*, September/October 2007 PAPER MONEY (Official Journal of the Society of Paper Money Collectors) (Co-authored with David Diaz).
- *The Hulk in the Courtroom* (First appearing on August 7, 2006, on www.comicspriceguide.com).
- *Handling Writs of Execution*, for the State Bar of Texas COLLECTIONS AND CREDITORS' RIGHTS Seminar (held April 20-21, 2006 – San Antonio, Texas). A copy of this Article is collected in the CLE Appendix to the *Texas Collection Manual* (4th ed. 2012) (State Bar of Texas).
- *The “feisty” Banks of Durant, Oklahoma*, May/June 2006 PAPER MONEY (Official Journal of the Society of Paper Money Collectors) (Co-authored with David Diaz).
- *Is Your Contract Killing You? Tips for Effective Sales & Service Agreements* (Presented at Waste Expo 2002, held May 21-23, 2002 – Las Vegas, Nevada).

Legislative testimony:

- On March 17, 2015, at the request of the Texas Alcoholic Beverage Commission, Andy testified before the Texas Senate Business and Commerce Committee in favor of Senate Bill 367 (Relating to the unauthorized use of an alcoholic beverage permit or license, providing a criminal penalty).

Recognition for legal acumen, experience, efficiency, and professionalism; by judges, legislators, county officials, and litigation adversaries:

- Cause No. DC-20-02050; *Spectra Bank f/k/a Riverbend Bank v. A-to-Z Wholesale Wine & Spirits, LLC, Amar Ali, and Nur Ali*; 192nd District Court, Dallas County, Texas:
 - April 24, 2023, Reporter’s Record (hearing on Motion to Terminate Receivership), at p. 22-23 (Jack M. Kuykendall [Counsel for Judgment Creditor]):

The importance of somebody that's a receiver that knows how to do these things... November 7, Mr. Korn had already collected, like, 90-something thousand dollars. And he ultimately collected 900-something thousand dollars in that case...

The purpose of a receivership in the turnover statute is to collect the judgment. It's not to -- it's not to go be a nice guy. You're going to do some things that are pretty tough. Mr. Korn does tough things. I've read some of them, you know, but he gets results. And so that's the kind of receiver we want.

- April 20, 2023, Reporter’s Record (hearing on Motion to Substitute Receiver), at p. 22-23 (James Stanton (former Texas District Judge serving as Court Appointed Receiver):

I don't have a position on this matter, but I do want to provide the Court, I think, as close to neutral as you're going to hear today...

Mr. Korn is very good at his job. He's a receiver. He's a collections lawyer, both on the plaintiff and the defense side. He knows exactly what he's doing and he's doing an excellent job of it for his clients.

- Cause No. DC-20-14272; *Shields Limited Partnership v. Pasha & Sina, Inc., the City of Dallas, and Mohsen Heidari*, 14th District Court, Dallas County, Texas (Moyé, J.) Reporter’s Record Vol. 2 Excerpt from November 9, 2021, Trial on the Merits, at p. 16:

You're [Andrew Korn] a fine lawyer. And I know that because you've been in this court before.

- Cause No. PR-20-02238-2; *In re Guardianship of Joyce Margol*; Probate Court No. 2, Dallas County, Texas (Warren, J.) Reporter’s Record Excerpt from June 7, 2021, Hearing on Motion to set security to superseded orders on appeal, at p. 39:

THE COURT: Well, thank you both [Andrew Korn for Movant; Byron Henry for Respondent]. Also, I appreciate you being very efficient with your time, your arguments today before the Court.

- Cause Nos. PR-18-00453, 00454, 00480-1: *In re Ruff Management Trust*; Probate Court No. 1, Dallas County, Texas (Thompson, J.) Reporter’s Record Excerpt from December 11, 2018, Hearing on Motions, at p. 5-7:

THE COURT: I mean, you’ve basically, put on a clinic about writs of garnishment and I appreciate that... as I’ve said you’ve put on a clinic on writ of garnishments and I respect that.

- Cause No. DF-14-14203; *In re Marriage of Saud*; In the District Court of Dallas County, Texas, 254th Judicial District (Ewing, J.) Reporter’s Record from February 5, 2018, *Hearing on Various Motions*, at p. 128:

THE COURT: So we can maybe amend his [Receivership] responsibilities to collect your client's money and what's still owed...

MR. KORN: However you say to do it, we will follow.

MR. ANDERSON: Everybody will follow.

THE COURT: How about that? 'Cause, obviously, Mr. Korn knows how to collect money.

- Cause No. DC-15-01507; *A&C Discount Pharmacy, LLC v. Usman A. Idodo a/k/a Usman Tony Idodo and Binta Idodo*; In the 95th Judicial District Court of Dallas County, Texas (Mohlberg, J.); Reporter’s Record (Vol. III) from October 9, 2017, proceedings on Motion for Contempt and Motion to Clarify, at p. 52 ([The Court]: “Mr. Korn is a very vigorous receiver. He does exemplary work as far as I'm concerned.”).
- Cause No. DC-15-00014; *RREF CB SBL II Acquisitions, LLC v. UBS Financial Services, Inc.*, in the 101st Judicial District Court of Dallas County, Texas (Tillery, J. sitting for Judge Williams); Reporter’s Record from January 2, 2015, proceedings on Applicant’s *Emergency Application for Writ of Garnishment*, at p. 34 ([The Court]: “...the excellent lawyering by Mr. Korn...”).
- *J&J Sports Prods., Inc. v. Mandell Family Ventures, LLC v. Time Warner Cable, LLC*, 2013 U.S. Dist. LEXIS 89236, *20 (N.D. Tex. Mar. 31, 2013) (Stickney, Mag.) (*Order* [Doc. 71]), *reversed on other grounds*, 751F.3d 346 (5th Cir. 2014) (“David Diaz and Andrew Korn, both of whom have a great deal of experience with antipiracy cases, as well as other civil litigation areas.”).
- *J & J Sports Prods., Inc. v. Guerra*, Case No. H-12-945 (S.D. Tex. March 7, 2013) (Ellison, J.) Reporter’s Record at p. 8 (“...I feel blessed to have such good attorneys on both sides.”).

- *J&J Sports Prods., Inc. v. Live Oak County Post No. 6119 VFW*, 2009 U.S. Dist. LEXIS 81336 (S.D. Tex. Sept. 8, 2009) (Jack, J.) (“...Mr. Korn's broad experience in this area of the law.”).
- Texas State Senate Debate on SB 1269 (now codified at Texas Civil Practice and Remedies Code chapter 34) (Senator Royce West - author of the Bill) (“Issues concerning what the Constables' responsibilities are. This is a story about a very smart attorney who's found some nooks and crannies in some old statutes and exploited them based on a reputed set of facts. Apparently one of Dallas's finest has found a legal loophole... I'm advised that the attorney in question sues small bars who buy pay-per-view boxing matches from a California company...”) Video Recording of April 11, 2007, Hearing before the Senate Committee on Jurisprudence (available at http://tlcsenate.granicus.com/MediaPlayer.php?view_id=16&clip_id=2829).
- Transcript of Record at 7, *Garden City Boxing Club v. Lara*, No. 7:03-cv-00383 (S.D. Tex. April 21, 2004) (Hinojosa, C.J.) (“In fact, you've been very polite, Mr. Korn. I wish everybody would be like you and Mr. Yzaguirre, then I wouldn't have any problems in the courtroom.”).
- Bexar County, Texas Commissioners Court. Proceeding, January 4, 2000, San Antonio, Texas (statement of Bexar County Commissioner Precinct One Robert Tejada):

It was a very smart move for Statewide to bring Mr. Korn in and make that presentation today. I wasn't in the room when the last presentation was made by Statewide. But if it would have been that tenor, I would have very easily and very quickly have moved to throw out all bids and re-bid the process all over again. That would present other problems, but I would be willing to put up with it...

- “Texas is one of the states with the most TV signal piracy cases...The great majority of these lawsuits are filed by The Korn Diaz Firm and its attorneys David M. Diaz and Andrew R. Korn...some of the most experienced and knowledgeable litigators in the field of TV signal piracy anywhere in the county... Overall, it must be recognized that David Diaz and Andrew Korn are very skilled attorneys in the field of TV signal piracy.”
available at <http://www.mattpare.com/blog/tv-signal-piracy-cases-in-texas>