

## James Carlos McFall

### Partner

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Dallas

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James Carlos McFall is a seasoned trial lawyer and counselor to corporate, family office, high-profile, and high net-worth clients in the sports, entertainment, and technology industries.

His practice focuses on media, sports, entertainment, technology, and complex commercial litigation, including cases of alleged fraud, tortious interference, breach of contract, breach of fiduciary duty, and theft of trade secrets. James also has significant experience representing large national banks and other financial institutions in a variety of matters, including multimillion-dollar disputes. He has represented lenders, corporate officers, and corporate directors in high-stakes corporate defense cases involving claims for breach of fiduciary duty and fraud.

Prior to joining Foley, James practiced at a national law firm in its Dallas office. Alongside Foley partner Trey McDonald, he helped lead the launch of sports tech company Lockerverse, one of six companies selected to participate in the prestigious Disney Accelerator. During law school, James was a legal extern for Judge Jeremy Fogel of the United States District Court for the Northern District of California.

### Representative Experience

- Served as first-chair trial counsel in multimillion-dollar disputes, including a two-week jury trial involving claims of fraud and breach of fiduciary duty with respect to a real estate investment and secured verdict in favor of client and damages award in excess of US\$12m.\*
- Won summary judgment in a Texas state court of more than US\$60m in favor of client in complex commercial dispute.\*
- Successfully represented NBA Lottery pick in high-profile eligibility dispute.\*
- Represented television networks, newspapers, journalists, internet publishers, film directors, and producers in cases of libel, defamation, and misappropriation of likeness in California and Texas.\*

- Litigated disputes and argued motions under the journalist's shield law, the federal Freedom of Information Act (FOIA), state open records and meetings laws, and state anti-SLAPP statutes.\*
- Defended the writer, director, and producer of the 2015 film *Carter High*, which chronicles the experiences of members of the storied 1988 David W. Carter High School football team leading-up to and following the team's 1988 state championship victory, in a misappropriation of likeness claim filed by individuals depicted in the film.\*
- Successfully represented a student in high-profile lawsuit regarding a James Bond parody video, resulting in one of the largest known recoveries in a student-speech case in U.S. history.\*
- Advising a global sports family office on general corporate, dispute resolution, and venture capital matters.\*
- Advising several high-profile sports clients on their publishing deals, company/fund formation, and sponsorship deals.\*

*\*Matters handled prior to joining Foley.*

## Accolades and Recognition

- *The Best Lawyers in America*, First Amendment Law (2023-2024)
- *Texas Super Lawyers Rising Stars* (2017-2018, 2020-2022)
- *D Magazine*, "Best Lawyers Under 40" (2021)

## Community Engagement

- American Bar Association
  - Forum on Communications Law, Governing Committee Member (2015-2022)
- First Amendment and Media Law Diversity Moot Court Competition, Co-Chair (2015-2021)
- Kids-U, Board Member
- Leadership Dallas (2021)
- Windcrest/Northeast Bridge Builders
  - Board Member (2015-Present)
  - Board President (2018-2023)
- Leadership Council on Legal Diversity Pathfinder Program (2016)
- Patrick E. Higginbotham Inn of Court (2014-2015)

## Presentations and Publications

- Panelist, "[The \\$4.4 Trillion Opportunity | Inclusion, Access & Innovation](#)," SCALE Global Summit (July 2023)
- Co-Author, "[Student Snapchat Decision May Hint at SCOTUS Social Media Rulings](#)," *Bloomberg Law* (May 2021)
- Co-Author, "[Race, Diversity, Inclusion, and the Media Bar: Will the National Conversation on Race, Diversity, and Inclusion Bring About Meaningful, Lasting Change Within Our Bar?](#)" ABA Forum on Communications Law's *Communications Lawyer*, Fall 2020, Vol. 36, No. 1 Issue (January 2021)

- Co-Author, “[Challenges of Zoom Jury Trials: Lawyer Rapport, Equal Protections, Technology Hurdles](#),” *Texas Lawyer* (June 2020)
- Panelist, “Put Me In Coach! A Discussion of Eligibility for High School, College, and Olympic Athletes,” Dallas Bar Association Entertainment, Arts, and Sports Law Section (August 2022)
- Moderator, “The Media’s Role in Covering Protests and Controversy,” ABA Forum on Communications Law Annual Conference (January 2021)
- Panelist, “Public Sector Employees and First Amendment Issues,” American Bar Association (January 2021)
- Panelist, “Texas Market: Is Everything Bigger in Texas? Trends That Are Reshaping the Legal Industry,” Georgetown Texas Club (October 2020)
- Panelist, “Action & Allyship: A Roadmap for Diversity in Media Law,” Media Law Resource Center (MLRC) Next Generation Committee (September 2020)

## Sectors

- [Innovative Technology](#)
- [Sports & Entertainment](#)

## Practice Areas

- [Business Litigation & Dispute Resolution](#)
- [Litigation](#)

## Education

- Washington University School of Law (J.D., 2012)
  - Senior Editor, *Washington University Law Review*
- Stanford University (M.A., 2009)
- Stanford University (B.A., 2008)

## Admissions

- Texas
- California
- S. District Court for the Northern, Southern, Eastern, and Western Districts of Texas
- S. District Court for the Northern, Central, and Southern Districts of California
- S. District Court for the Eastern District of Arkansas
- S. Court of Appeals for the Eleventh Circuit