



Title IX Investigations: Lessons Learned

September 19, 2023

Brit Nelson, Jackie Staple, Christina Vitale

Agenda



- Title IX
 - Basics / Statistics
 - Developments
 - If/when to bring in independent / outside counsel
- Two Case Studies:
 - University of Utah
 - Stanford University
- Questions

JW Investigations Team / Presenters



• Jackie Staple



• Christina Vitale

Title IX: Basics



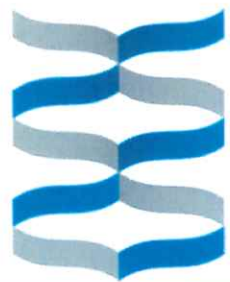
- Department of Education
- Programs that receive federal financial assistance
- Unlawful sex discrimination
 - Relationship violence and/or stalking
 - Sexual assault
 - Sexual harassment
 - Athletics inequities (e.g., locker rooms, access)
 - Hazing
- Gender / Transgender (evolving)
- Anti-retaliation
- July 2022 – released proposed amendments for public comment

Title IX: Basics



- Whether a reasonable person in the complainant's position would effectively be denied equal access to education compared to a similarly situated person who is not suffering the alleged sexual harassment, assault, etc.
- On-campus and off-campus
- Notice to Title IX Coordinator or other official who has authority to institute corrective measures

Title IX Statistics: 2020 Report



Association
of American
Universities
Inquiry · Innovation · Impact

One of the most vexing issues I had to deal with as a university president was protecting our students from sexual assault and misconduct. The leaders of America's leading research universities bear the significant responsibility of providing the safest environment possible for hundreds of thousands of students in both undergraduate programs and graduate and professional schools. This

-AAU President Mary Sue Coleman
2020 Report on the AAU Campus Climate

27 Participating Schools in Survey



**Boston University
Brandeis University
Brown University
California Institute of Technology
Carnegie Mellon University
Case Western Reserve University
Columbia University
Cornell University
Duke University
Emory University
Georgia Institute of Technology
Harvard University
Indiana University
Iowa State University**

**The Johns Hopkins University
Massachusetts Institute of Technology
McGill University
Michigan State University
New York University
Northwestern University
The Ohio State University
The Pennsylvania State University
Princeton University
Purdue University
Rice University
Rutgers University – New Brunswick
Stanford University**

**Stony Brook University –
State University of New York
Texas A&M University
Tulane University
University at Buffalo –
State University of New York
The University of Arizona
University of California, Berkeley
University of California, Davis
University of California, Irvine
University of California, Los Angeles
University of California, San Diego
University of California, Santa Barbara
The University of Chicago**

The Statistics



- 13% of all students experienced nonconsensual sexual conduct by physical force or inability to consent
- 1 in 5 or fewer survivors report to law enforcement
- Nearly half tell no one
- 6% have experienced stalking while in college
- Lesbian, gay, queer over twice as likely
- Transgender 4-5 times more likely

Source: Association of American Universities,
2020 Report on the AAU Campus Climate, Survey on Sexual Assault and Misconduct

The Statistics



- Most prevalent:
 - Fall
 - First and second year
 - First month or two of semester



Source: Association of American Universities,
2020 Report on the AAU Campus Climate,
Survey on Sexual Assault and Misconduct

The Statistics



- **Highest rates of sexual misconduct**

- **Women**

- Harassing: 59.2%
- Intimate Partner Violence: 14.1%
- Stalking: 10%

- **Transgender**

- Harassing: 65.1%
- Intimate Partner Violence: 21.5%
- Stalking: 15.2%



Source: Association of American Universities,
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The Statistics



- Sexual Harassment
- All students
 - 41.8% overall
 - 18.9% interfered with participation
- By faculty member or instructor
 - Women
 - Graduate: 24%
 - Undergraduate: 5.5%
 - Men
 - Graduate: 18.2%
 - Undergraduate: 4.3%

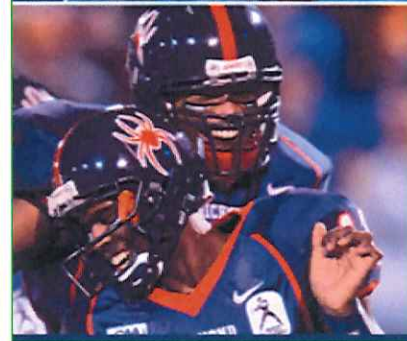


Source: Association of American Universities,
2020 Report on the AAU Campus Climate,
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Courses of Study and Activities with Risk



- Dance
- Music
- Drama
- Athletics



Source: Association of American Universities,
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The Statistics



- **Increase from 2015-2019**

- **Women**

- Undergraduate: 3%
- Graduate: 2.4%

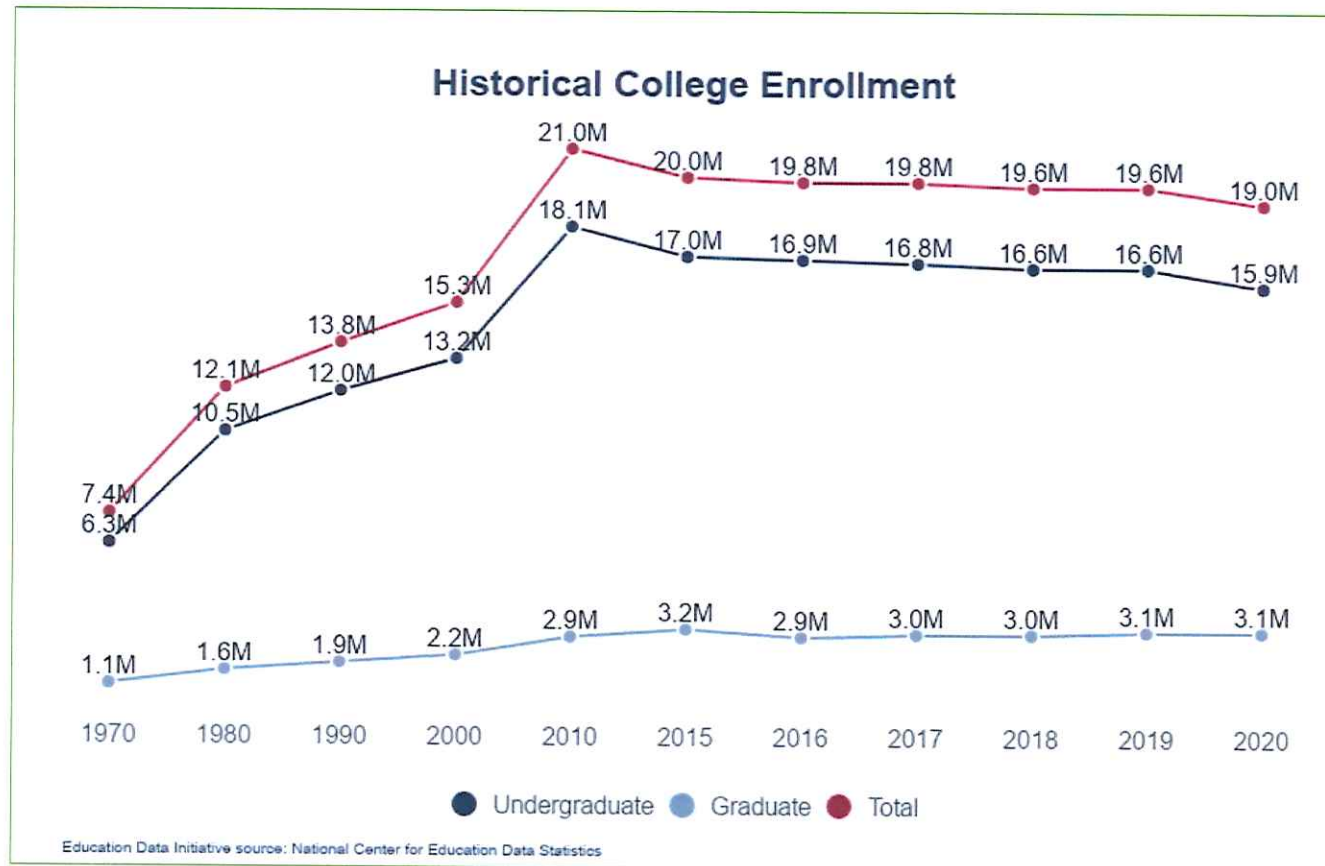
- **Men**

- Undergraduate: 1.4%
- Graduate: not significant increase



Source: Association of American Universities,
2020 Report on the AAU Campus Climate,
Survey on Sexual Assault and Misconduct

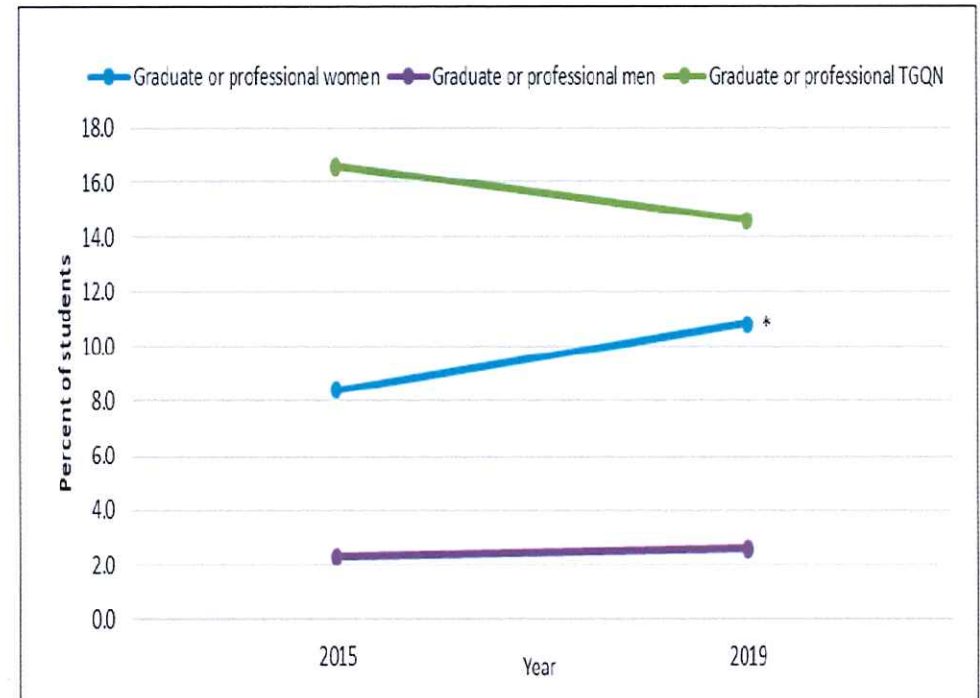
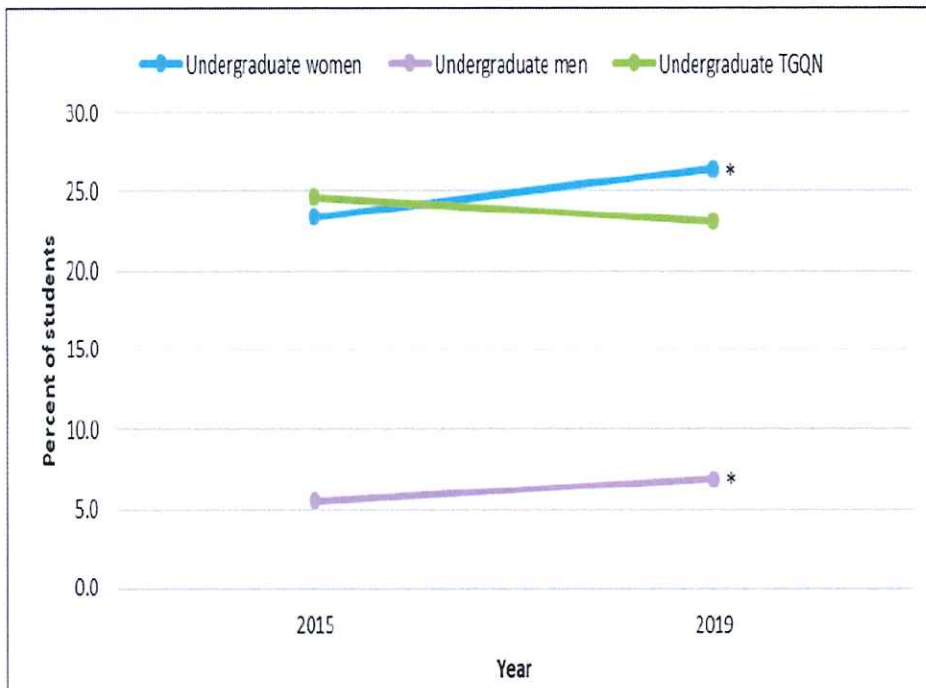
College Enrollment Down from 2015



The Statistics: 2020 Report



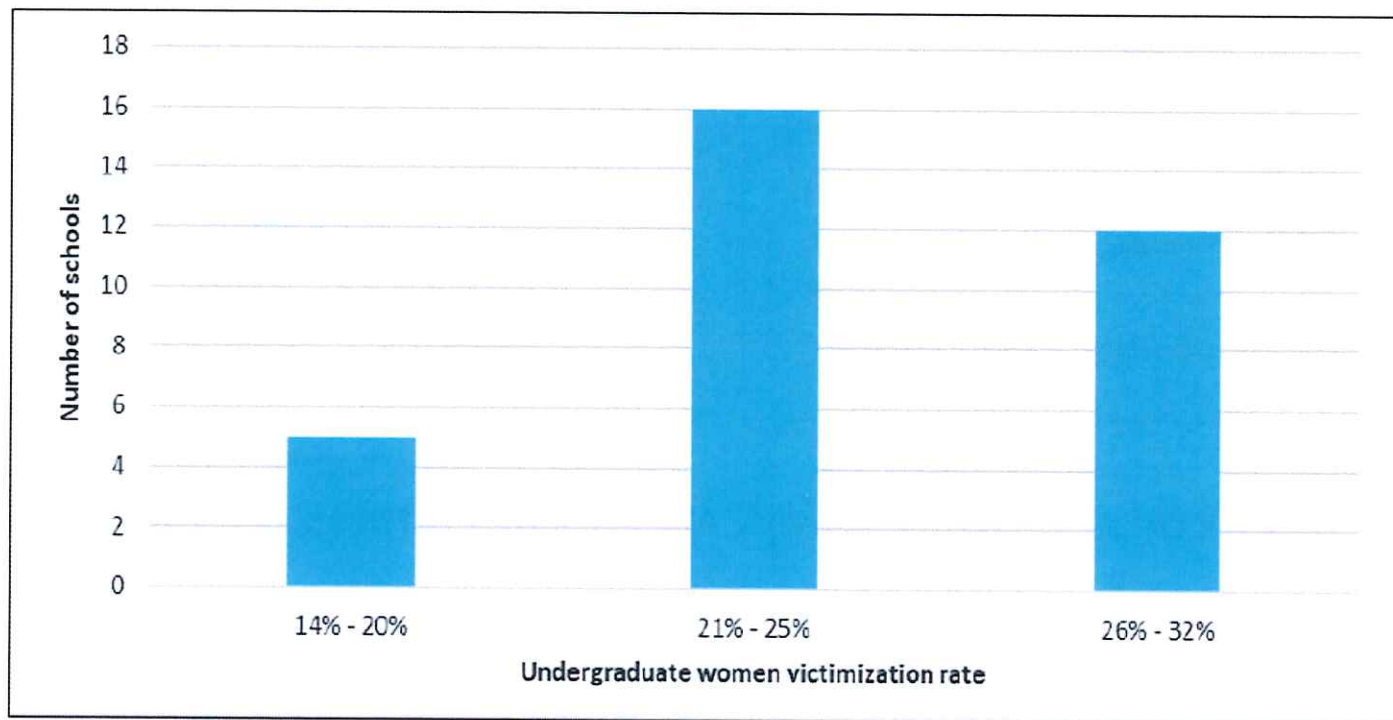
- Nonconsensual sexual contact by physical force or inability to consent



The Statistics



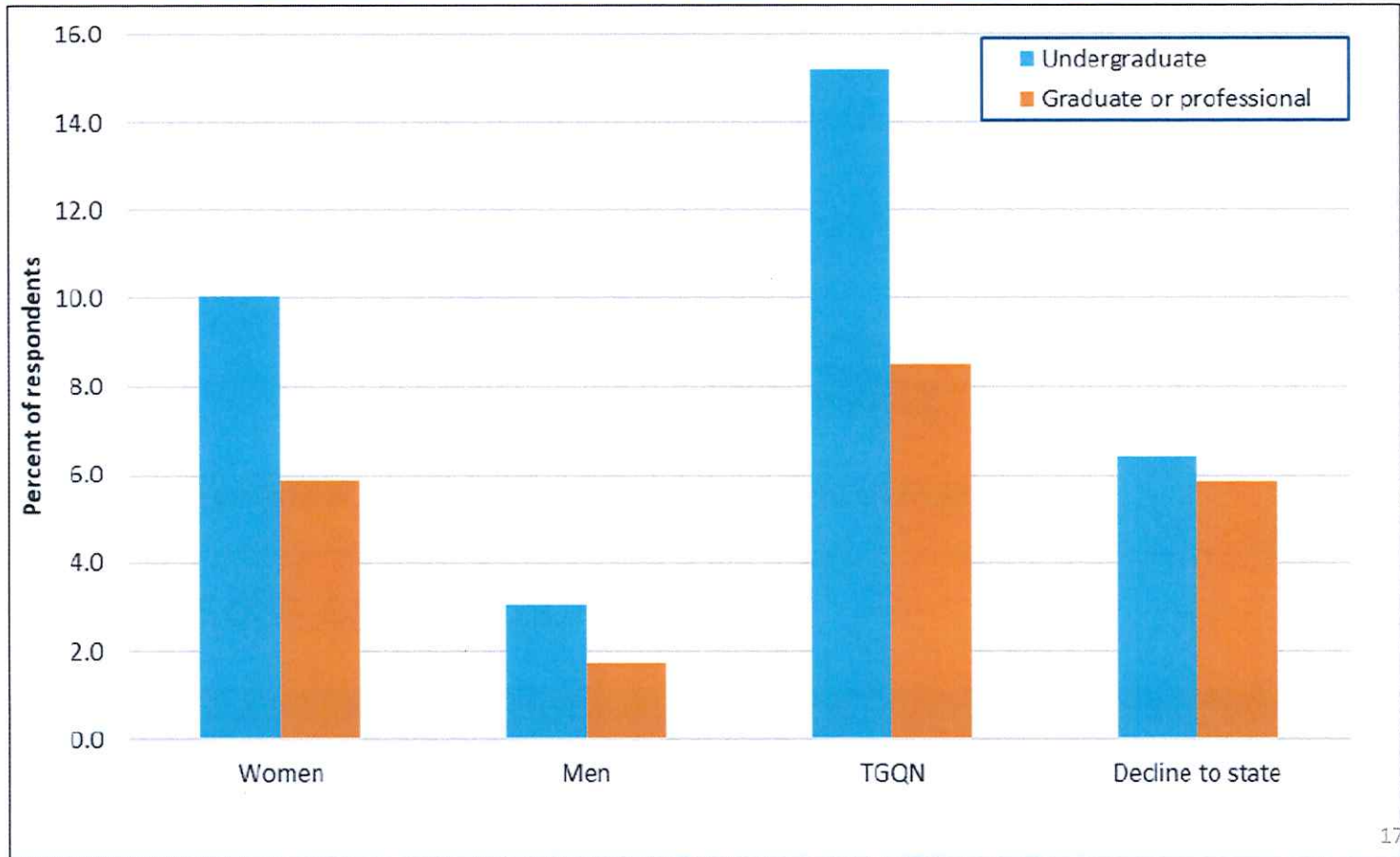
- Varies by school



The Statistics



- Stalking



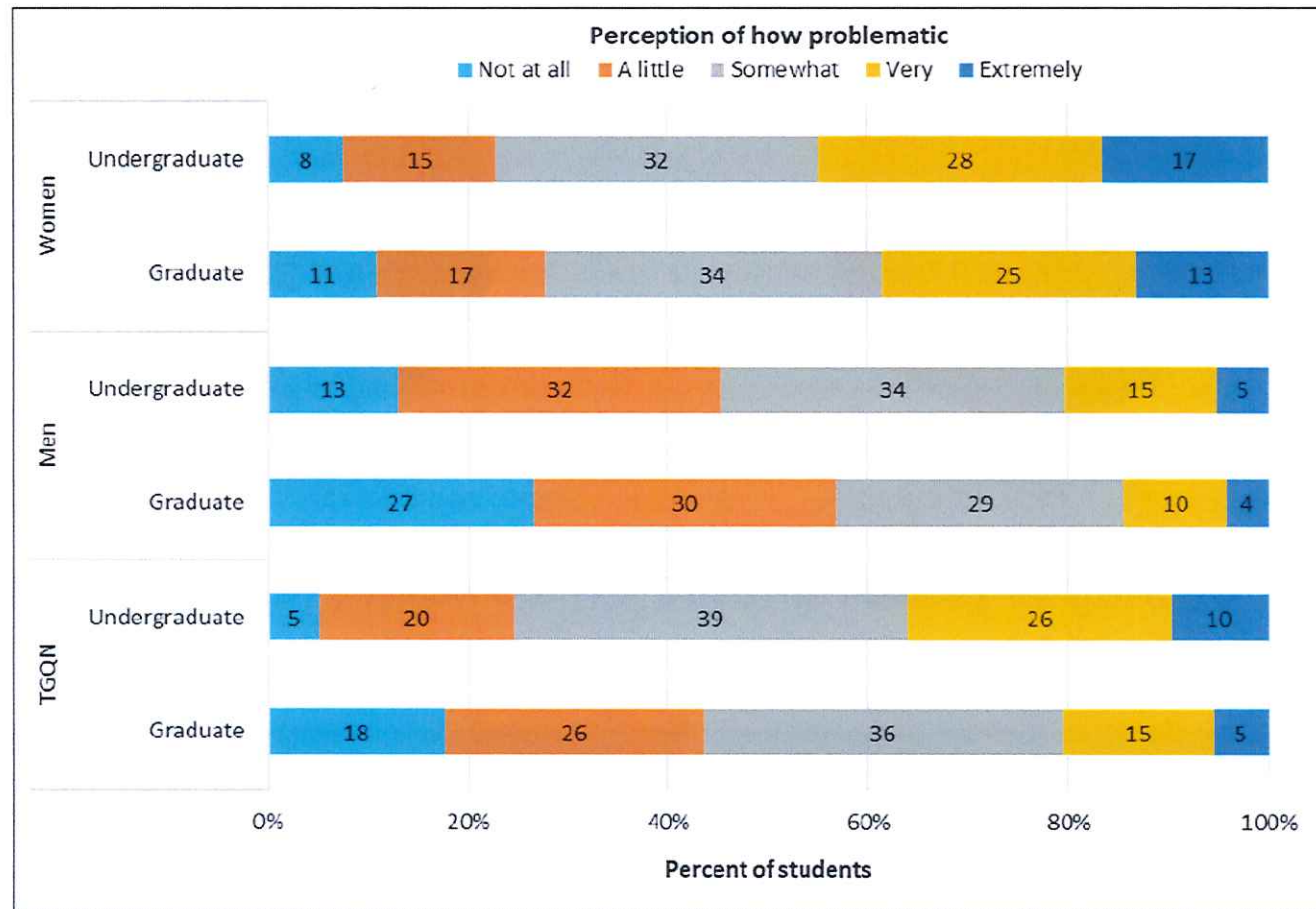
The Statistics



- Increase in knowledge of definitions



Students' Perception of Sexual Assault and Other Sexual Misconduct

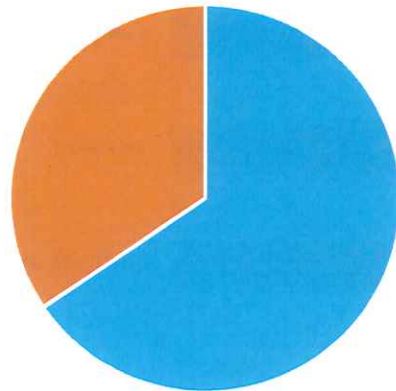


The Statistics



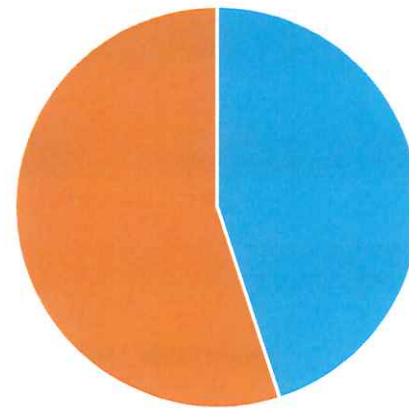
- Likelihood of school taking sexual assault report seriously

All Students



■ Very or Extremely Likely ■ Other

Survivor



■ Very or Extremely Likely ■ Other

Texas Senate Bill 212



AN ACT
relating to a reporting requirement for certain incidents of sexual harassment, sexual assault, dating violence, or stalking at certain public and private institutions of higher education; creating a criminal offense; authorizing administrative penalties.

- **2019 with penalties starting in 2020**
- Studies of sexual assault
 - 1 in 5 female college students
- Data of underreporting of sexual assault
 - Public and private
 - 6% of victims who disclosed did so to someone at the institution
 - 39% of victims knew where to get help



Texas Senate Bill 212



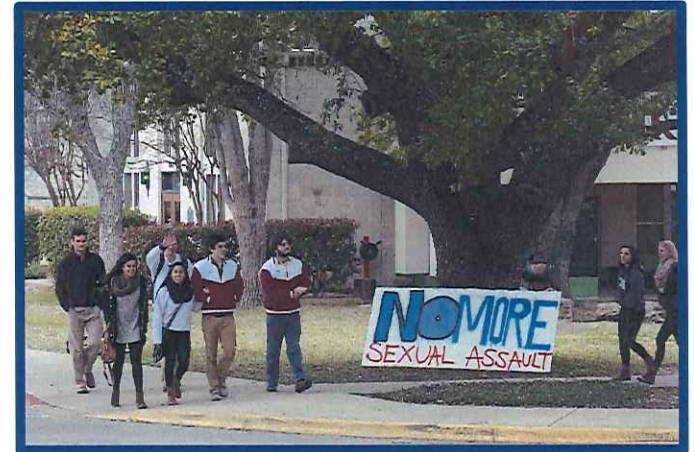
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public or private post-secondary institutions
- **WHAT**: reasonable belief
 - sexual assault, sexual harassment, dating violence, or stalking
 - committed by or against a person
 - who was a student enrolled at or an employee of the institution
 - at the time of the incident
- **WHEN**: promptly
- **WHERE**: Title IX Coordinator or deputy
- **HOW**: witness or receive information



Texas Senate Bill 212



- Anti-retaliation
 - Makes good faith report
 - Cooperates in investigation or proceeding
 - Excludes perpetrator employees
- Civil and criminal immunities
- Good faith = whistleblower and statutory protection
 - “a reasonable person, given the known facts of the incident, would more likely than not conclude that prohibited conduct occurred”
- Bad faith = little regard for actual facts and made with bad intent



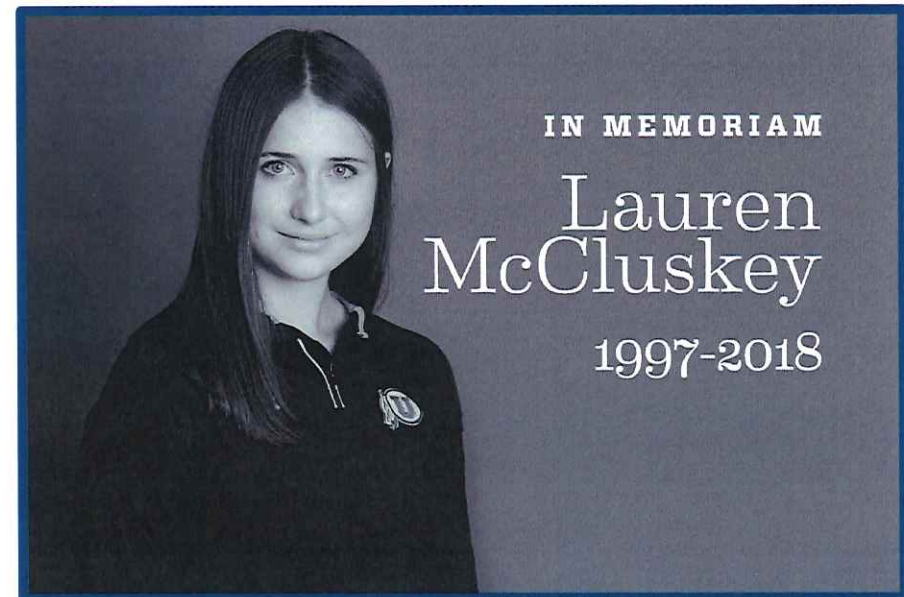
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- Civil penalties
 - Not to exceed \$2 million
 - Cannot use state or federal money to pay
 - Funds sexual assault program fund
- Criminal offense created
 - Misdemeanors
 - Knowingly fails to report
 - Knowingly makes a false report with intent to harm or deceive



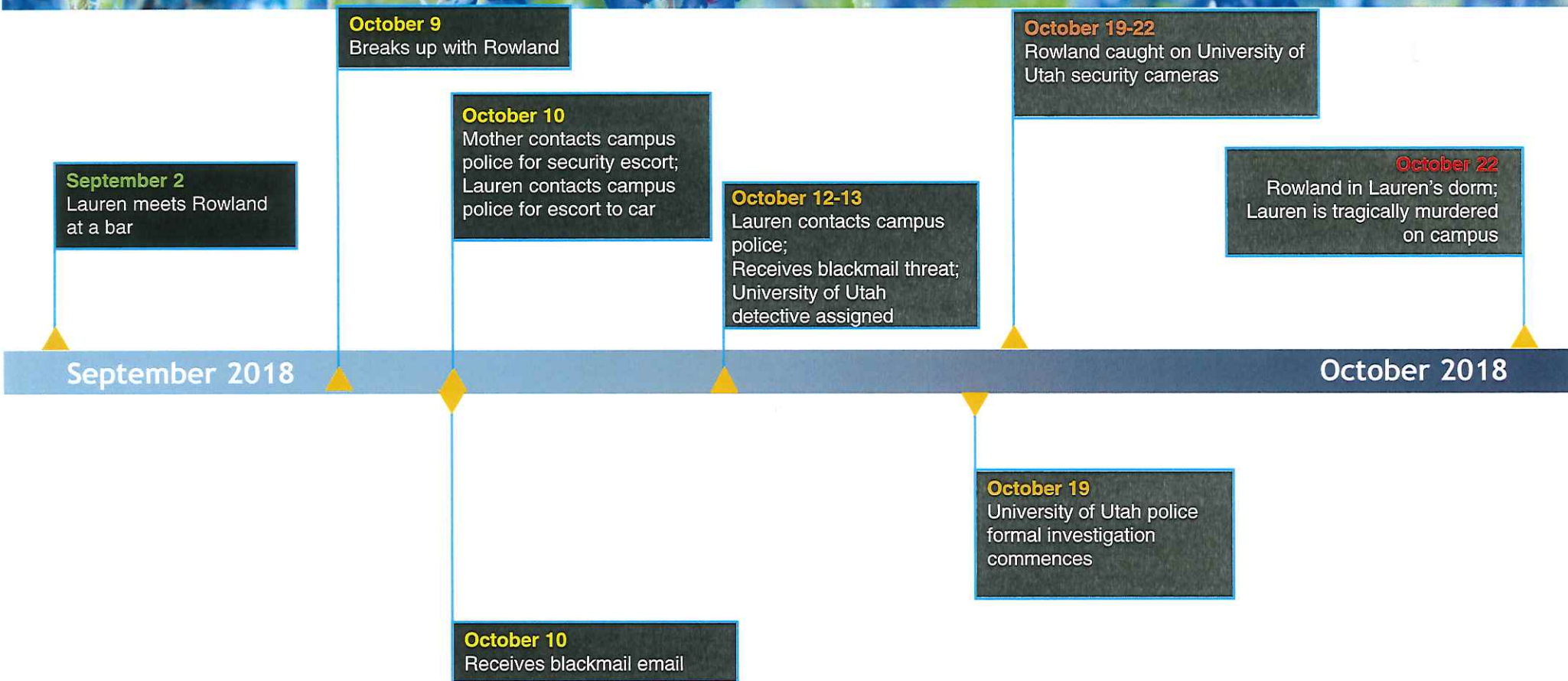
Case Study #1: University of Utah



Student and Non-Student



Timeline of Events



Public Information



DOB: 1981-05-12
Race: Black
Sex: Male
Eyes: Brown
Height: 6 ft 3 in
Hair: Black
Weight: 250 lbs.

Melvin Rowland - Registered Sex Offender or Kidnapper

[VIEW CRIMINAL RECORD](#)

Offense or Statute

Offense/Statute: 76-4-401 - Enticing A Minor/2nd Degree Felony

Date Convicted: 19 July 2004


Offense/Statute: 76-5-404 - Forcible Sexual Abuse-attempted/3rd Degree Felony (attempted)

Date Convicted: 19 July 2004

[View Melvin Rowland's Criminal Record](#)

Public Registries



 **The Texas Public Sex Offender Website**
Texas Department of Public Safety

Log In Support

The Texas Public Sex Offender Website

Public Sex Offender Registry Search

Map Address

Address Enter a location

Registrant Name

Last Name

First Name

Institute of Higher Education

Institute Choose one...

Campus

 THE UNITED STATES DEPARTMENT OF JUSTICE

SMART Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking

DRU SJODIN

NATIONAL SEX OFFENDER PUBLIC WEBSITE

HOME SEARCH SAFETY AND EDUCATION ABOUT NSOPW FAQS ABOUT DRU

ESPAÑOL  

SEARCH NSOPW

Search sex offender registries for all 50 states, The District of Columbia, U.S. Territories, and Indian Country.

Advanced Search

SEARCH BY NAME

First Name *

Last Name *

SEARCH BY LOCATION

Address *

City/Town *

Alabama

1 Mile

Name Search

Location Search

Gaps

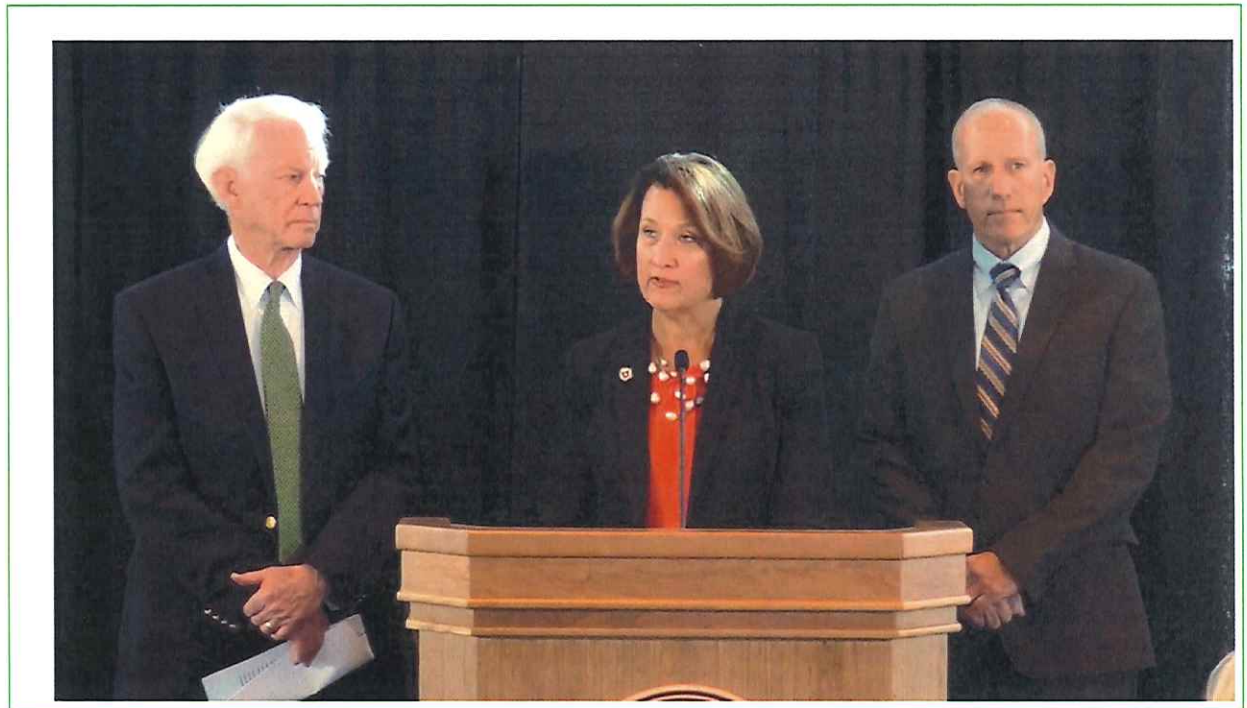


- Gap 1: McCluskey blackmailed by her ex-boyfriend and first reported this to campus police (**October 13, 2018**)
- Gap 2: Dorm RA was aware but Housing Department took no action
- Gap 3: Campus police did not run offender information status or probation status checks
- Gap 4: Probation officer was not alerted
- Gap 5: Campus police did not take complaints seriously and instead employees shared photos
- Gap 6: Salt Lake City police were notified campus police not taking it seriously
- Gap 7: Ex-boyfriend roamed campus and entered dorms
- Result: McCluskey murdered on campus (**October 22, 2018**), litigation and settlement (**October 22, 2020**)

Independent Investigation



- Outside counsel hired
- Report issued
- Changes made



“Could Not Have Been Prevented”



University of Utah concludes that Lauren's murder was unpreventable



Watch the full video



1. Melvin Shawn Rowland (“Rowland”) was on parole for a previous felony violation. There was never an attempt by any of the officers involved to check his “offender status.” Further, there were no policies or procedures that required such checks. In this case, a criminal history check was

3. UUPS is understaffed. Not only is this generally true with respect to the need for more patrol officers, but in addition, officers are needed who are specifically trained in the investigation of domestic violence cases including reports of harassment, stalking, and other forms of interpersonal violence.

V.

4. UUPS does not have a coordinated working relationship with the Center for Student Wellness (“CSW”) and its victim advocates. We recommend coordination efforts be implemented. We also recommend that UUPS

1. Institutional structures at Housing prevented an early attempt to intervene when Lauren’s friends reported that they believed she was in an unhealthy relationship. The information was passed up the chain of command, but decisions and responses were delayed. We recommend that processes be

4. There was no investigation into reports by Lauren’s friends that Rowland was violating housing policy and had easy access to the housing unit. We

Lawsuit



- University sued by McCluskey family for \$56 million
- Settlement for \$10.5 million, plus \$3 million donation to foundation



Other Significant Impacts



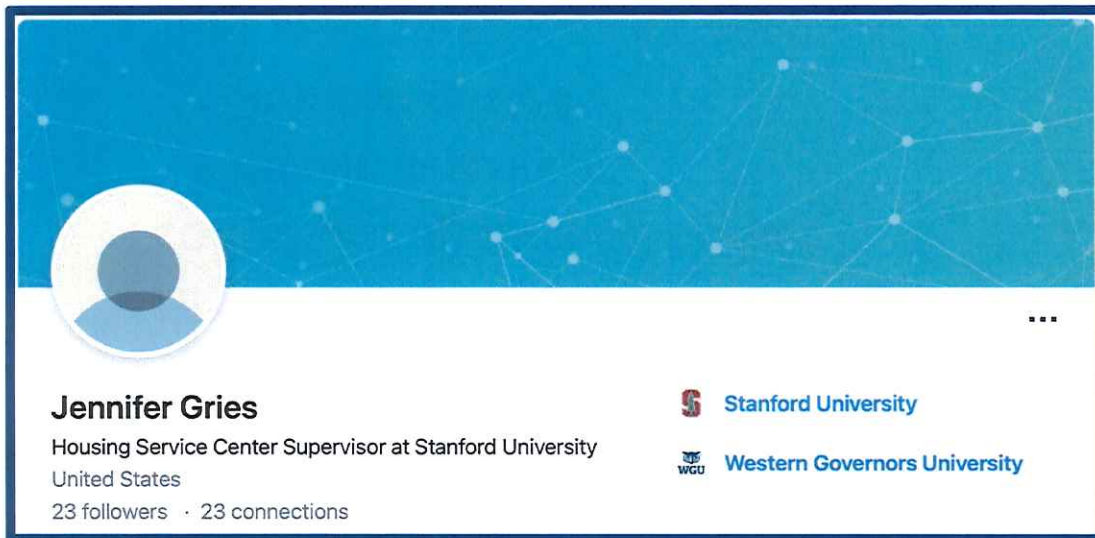
- President resigned
- Campus Police Chief and successor resigned
- Campus Police Officers disciplined
- University sued by former Campus Police officers



Case Study #2: Stanford University



- Jennifer Gries
- Housing Service Center Supervisor



A LinkedIn profile card for Jennifer Gries. The background is blue with a white network pattern. On the left is a circular profile picture placeholder. Below it, the name "Jennifer Gries" is displayed in bold, followed by her title "Housing Service Center Supervisor at Stanford University" and "United States". At the bottom left, it shows "23 followers · 23 connections". On the right side, there are two university logos: Stanford University (a red 'S' with a green redwood tree) and Western Governors University (a blue 'WGU' logo).



Agenda



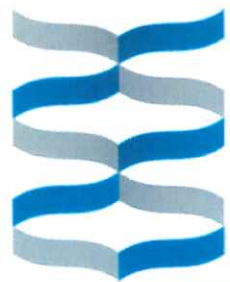
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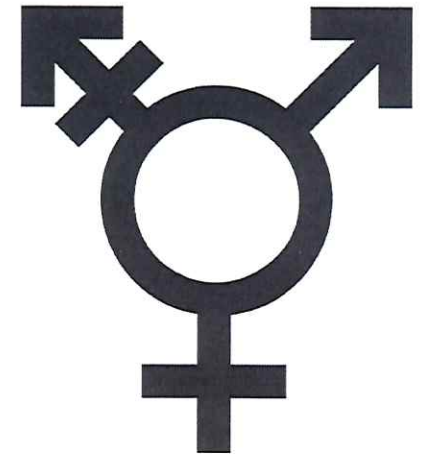
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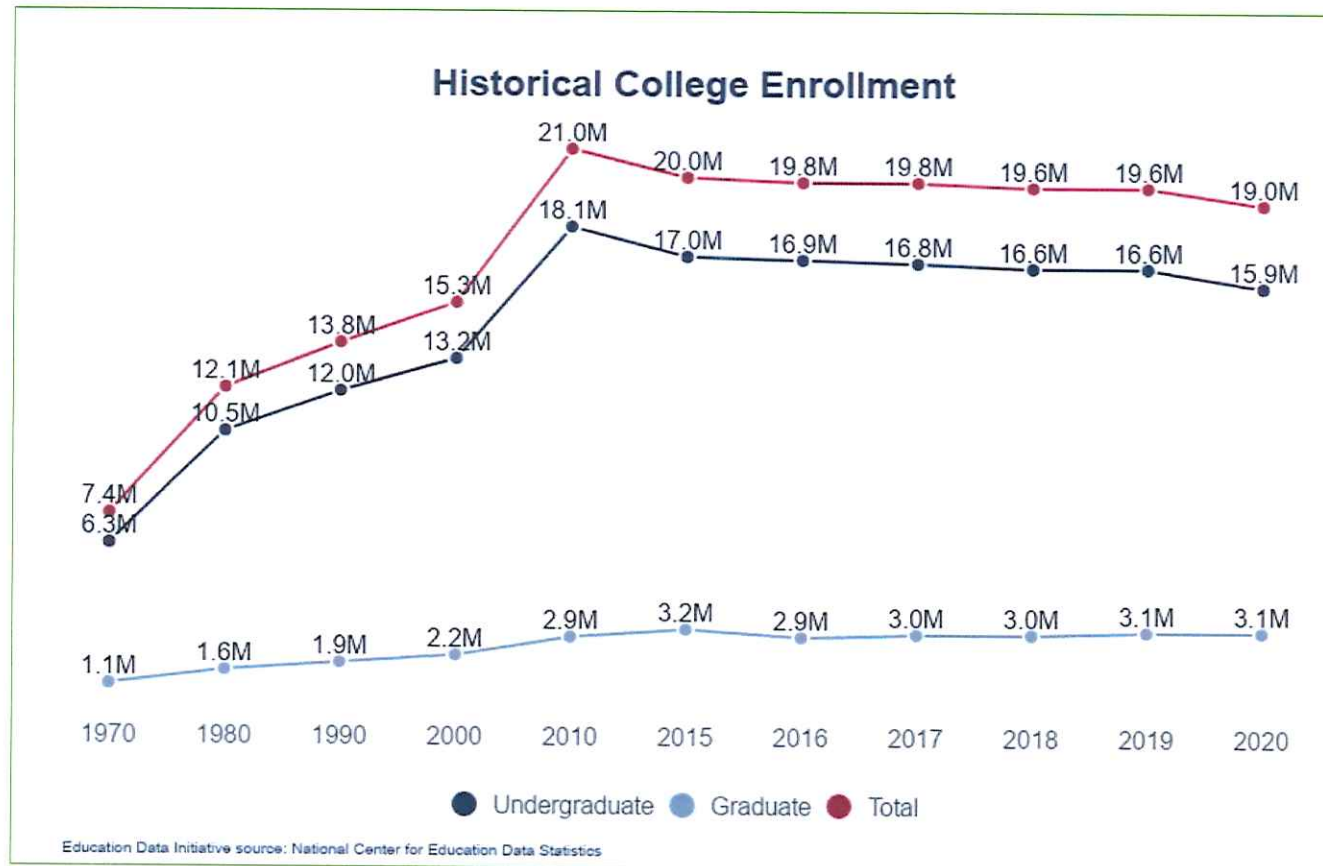


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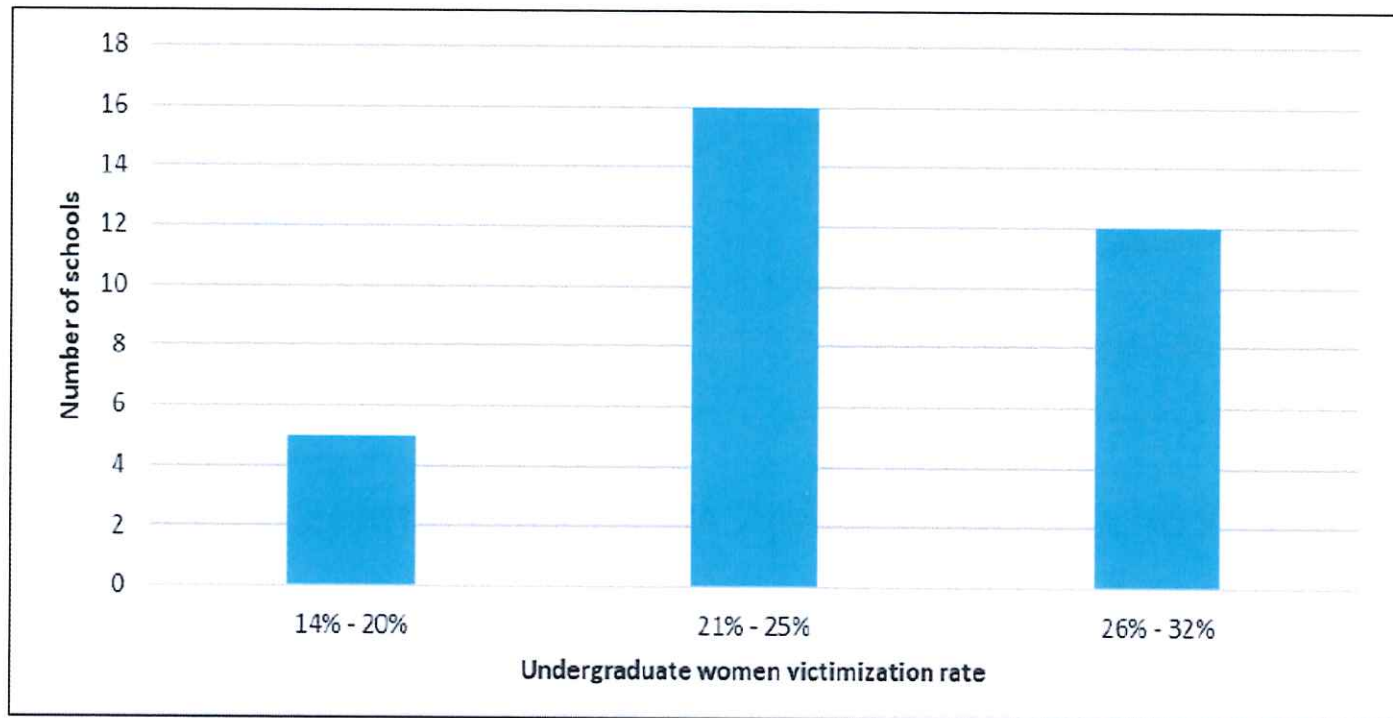
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The Statistics



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The Statistics



- Increase in knowledge of definitions

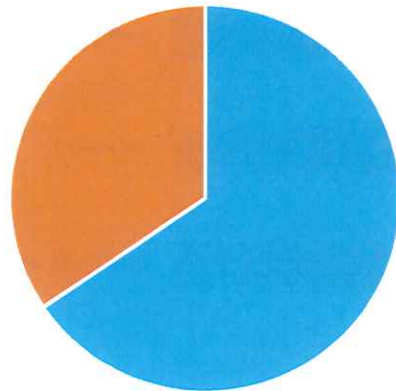


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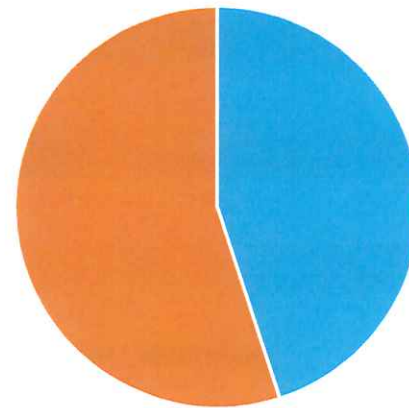
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Gaps

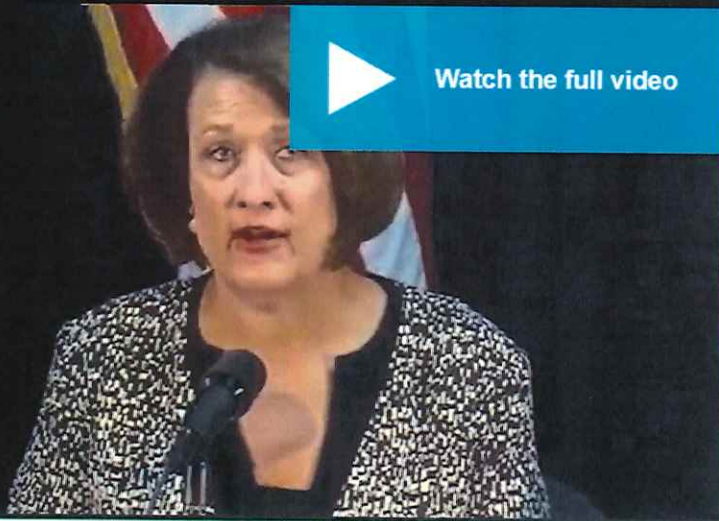


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Other Significant Impacts



- President resigned
- Campus Police Chief and successor resigned
- Campus Police Officers disciplined
- University sued by former Campus Police officers



Case Study #2: Stanford University



- March 2022 – sexual harassment complaint against coworker
 - Human Resources
 - Unsubstantiated
- Told acquaintance she was in a relationship with him
- Sexually assaulted and miscarried his twins
- Later shown she was not pregnant



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Case Study #2: Stanford University



- August 9, 2022 – nurse at Valley Medical Center
- Munger Residence Hall Room
- “late 20s, Black male, slender build”
- Approached when walking to her car parked in campus garage
- Grabbed her, dragged her into building, anally and vaginally raped
- Signed consent form that nurse is mandated reporter
- Applied to Victim of Crimes Board



Case Study #2: Stanford University



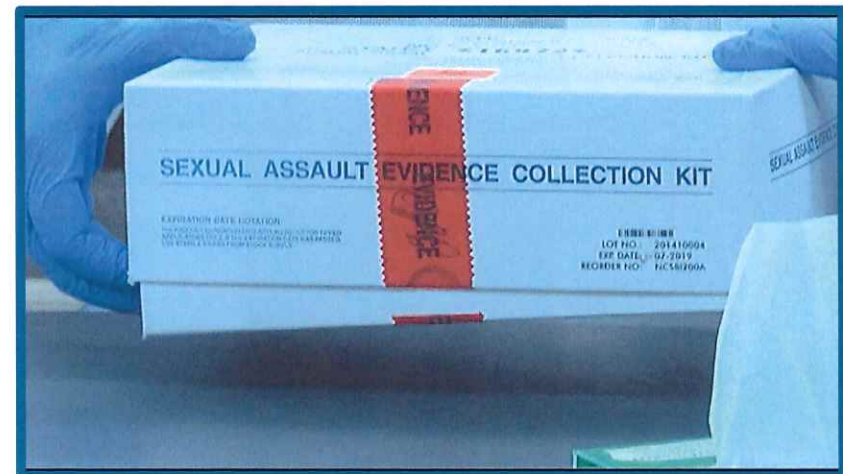
- October 27, 2022 – sexual forensic exam nurse, Stanford Hospital
- Man grabbed her arm, forced her into basement storage closet, anally and vaginally raped
- “He grabbed both my arms, had me on the ground facing up. He told me not to scream”
- Same description
- Signed consent form that nurse is mandated reporter
- Applied to Victim of Crimes Board



Case Study #2: Stanford University



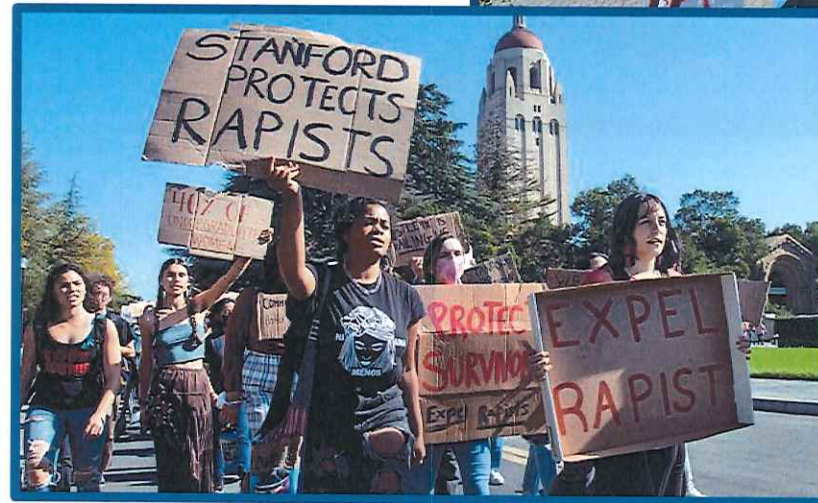
- University response
- Safety alerts - electronic
- Rape kits prioritized
- \$300,000
 - Investigation
 - Increasing security



Case Study #2: Stanford University



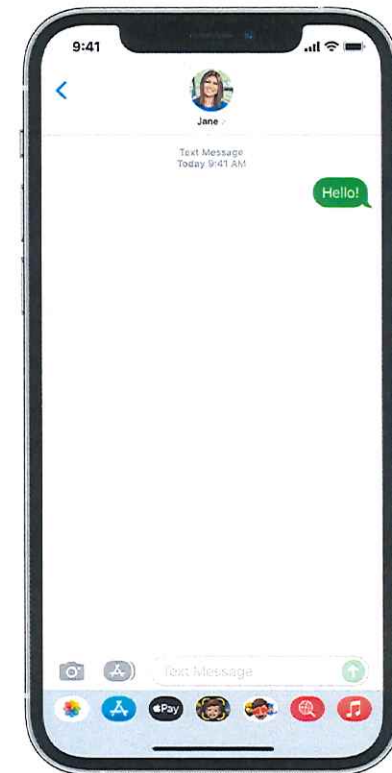
- Protests
- Data:
 - 40% female undergraduate students experience sexual violence
 - Less than 3% report



Case Study #2: Stanford University



- November 2022 – interviewed by campus police, hyperventilated and left
- January 24, 2023 – admitted to lying, wrote apology letter
- Gave her a “false intention”
- “Turned her friends against her”
- Never named him but did not deny
- Texts:
 - “Can’t I just make his life a living hell myself”
 - “I need to start standing up for myself ... I am so annoyed ... I’m coming up with a plan. That way he’s s—ing his pants for multiple days.”
- “This is disgusting. I don’t feel human. I don’t feel human at all.”



Case Study #2: Stanford University



- March 15, 2023
- Arrest
- Stanford statement



Case Study #2: Stanford University



Dear Stanford community,
We're writing to provide an update to you on a sensitive and difficult matter.
Many of you recall that last August, an AlertSU Community Crime Alert was sent out regarding a reported rape in a restroom near a Wilbur Hall parking lot. This was followed by an alert in October, in which an individual reported having been dragged to the basement of a campus building and sexually assaulted there.
In both of these cases the **Department of Public Safety became aware of the reported assault** after being notified by a mandatory reporter, and a **campus alert was issued because of the possibility of a continuing threat to the community**. The Department of Public Safety **investigated the reports expeditiously and thoroughly**.

Knowing that these reports prompted great concern in our community, **we want to share additional information** that has now become available.

We learned today that the Santa Clara County District Attorney's Office has filed criminal charges against the individual who reported both of these incidents to the mandatory reporter. The charges include two felony counts of perjury and two misdemeanor counts of knowingly inducing another person to give false testimony pertaining to a crime. You can read a statement from the District Attorney's Office [here](#).

Case Study #2: Stanford University



The individual, a Stanford employee, is on a leave of absence. The university will be reviewing her employment in light of the information shared by the District Attorney's Office today.

These false reports are damaging, both for true survivors of sexual assault and for the members of our community who experienced fear and alarm from the reports. We also want to emphasize that both false reports and outcomes such as this one are extremely rare in sexual assault cases. Sexual assault and other sexual offenses regrettably continue to be prevalent both at Stanford and in our broader society. Our steadfast commitment to provide compassionate support for survivors of sexual assault and to prevent these acts from occurring in the first place remains unabated.

Our SHARE Title IX Office and the Department of Public Safety continue to vigorously investigate incidents of sexual violence, and the university is committed to holding accountable those who are found responsible. Our [Title IX/Sexual Harassment Annual Report](#) provides data on cases and outcomes.

If you believe you are the victim of sexual violence at Stanford, please reach out to one of the [resources](#) that stand ready to support you. And, more broadly, let us continue working together to create each day the environment of safety and well-being that we all wish for our community.

Sincerely,

Patrick Dunkley

Vice Provost for Institutional Equity, Access & Community
Co-Chair, Community Board on Public Safety

Laura Wilson

Director, Department of Public Safety

Case Study #2: Stanford University



- April 23, 2023 - criminally charged
- Two felony perjury counts
- Two misdemeanor counts of false crime report



Key Takeaways



- Develop protections on the front end
- All complaints must be taken seriously
- Coordination among University departments
- Interim protective/support measures
- When to loop in independent/outside counsel
- Fairness and thoroughness of process for both sides
 - Inadequate, slow, inequitable?
 - Promptly and not deliberately indifferent
- Fairness of result

Key Takeaways



- Informal resolution
- Live hearing
- Burden of proof
 - Preponderance of the evidence or clear and convincing
 - need to state in grievance process
- Cross examination
- EthicsPoint

Ethics Rules



- Rule 1.01 – Competent and Diligent Representation
- Rule 1.02 – Scope and Objectives of Representation
- Rule 1.05 – Confidentiality of Information
- Rule 2.01 – Advisor
- Rule 4.03 – Dealing with Unrepresented Person
- Representing the Accused: Civil versus Criminal Concerns
- Privilege Considerations

Questions



Recent Case: Khan v. Yale University



- 347 Conn. 1, 295 A.3d 855 (Conn. June 27, 2023)
- Defamation claim
- Absolute and qualified immunity
- Quasi-judicial proceeding
 - (1) Proceeding is specifically authorized by law
 - (2) Entity applies law to fact in adjudicatory manner
 - (3) Adequate procedural safeguards
 - (4) Public policy justification for absolute immunity

CLE Codes



**Texas Course
174210432**



**Oklahoma Course
135808**





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Baylor University September 19, 2023

Overview of Legal Services: Investigations



About Jackson Walker

We solve complex legal challenges in a way that is straightforward, cost-effective, and strategically tailored to your needs. For more than 135 years, we have helped businesses of all sizes navigate the increasingly complex legal landscape. Our almost 500 lawyers serve a broad mix of private and public companies around the state and across the world from our Texas-based offices.

We pride ourselves on being the kind of attorneys clients enjoy working with. Clients know they can count on us to deliver personalized service, legal expertise, and added value, which is why one-third of our legal work comes from clients who have been with us for six or more years.

BY THE NUMBERS

6
Offices in Texas

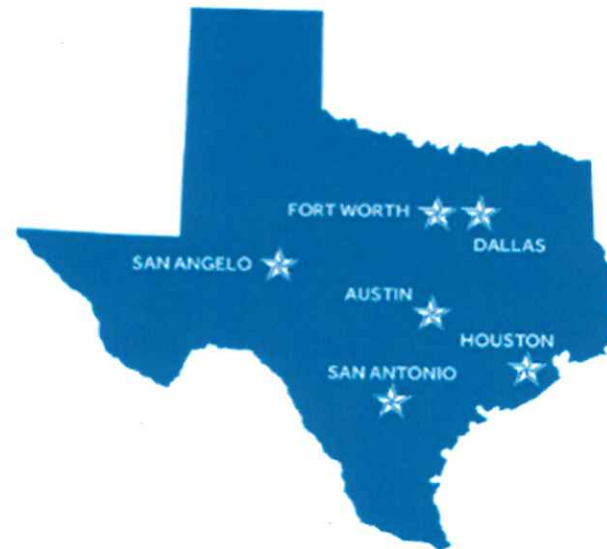
~500
Attorneys

85
Countries &
Territories Served

18
Chambers-Ranked
Practices

#1
Largest Firm in Texas

167
Fortune 500
Represented



At the heart of most Title IX litigation cases lies an investigation that preceded the litigation. The institution's handling of that investigation can be the difference between winning and losing the case. A properly handled investigation also helps avoid litigation by discovering and resolving potential liability before a situation spirals out of control.

Internal investigations have become an essential part of good governance for companies. Our investigation attorneys help our clients in all aspects of supporting clients through an investigation process. We can conduct investigations, or provide clients with the tools and training they need to conduct internal investigations and navigate complex issues themselves.

We can also preserve our role as litigation counsel, remaining in the background and advising our clients throughout their investigations. We also help our clients retain investigators and partner with those external investigators to ensure the success of the investigation. Whatever investigation approach is taken, we help ensure allegations are investigated quickly and with minimal disruption while seeing to it that investigations are thorough, tailored to the client, and cost-effective.

In the case of a governmental investigation, for example by the EEOC, DOE, DOJ, or the DOL, the institution has little ability to determine the strategy for the investigation. The institution needs to make certain it understands its rights with regard to participation in the investigation to ensure that it fully protects itself. Generally speaking, whether apparent or not, in the case of a governmental investigation an institution has entered the beginning of an adversarial process and should conduct itself accordingly. There are also considerations such as reputational or other risks.

**Based on interviews with more than 350 leading legal decision makers, BTI Consulting Group has named Jackson Walker among its list of BTI Awesome Opponents in its report on the litigation outlook for 2023. "These are the law firms top legal decision makers do not want to see on the other side of the table in litigation."
- The BTI Litigation Outlook 2023**

A Trusted Advisor



Jackson Walker represents educational institutions and clients in a broad range of compliance issues and investigation matters.

Our attorneys assist on matters including:

- Title IX investigations
- Internal investigations and training on human resource matters
- Special inquiries of fraud and misconduct allegations
- Internal audits and forensic investigations
- Internal control issues
- Development or testing of internal compliance programs
- Civil and criminal investigations
- Whistleblower allegations
- Governmental agency and prosecutorial investigations

Recent representations include the following:

- Successfully conducted Title IX investigation for community college system.
- Engaged as part of a neutral and independent investigation team to conduct witness interviews, analyze policies, and draft report for employer's use in determining best approach to address allegations of improper behavior by law school faculty against other faculty.
- Successfully defended Texas school district in FLSA retaliation suit brought by former employee.
- Drafted and reviewed employee handbooks and policies for employers in the higher education industry.
- Engaged as independent investigator in Oklahoma death penalty case.

"The attorneys handle very complex and sophisticated matters efficiently. They are also extremely responsive and efficient with communications."

– CLIENT QUOTE,
CHAMBERS USA 2023

"It is a go-to firm for bet-the-company matters. They do amazing litigation and advocacy in an efficient manner. You can trust them to make magic happen without it costing too much."

– CLIENT QUOTE,
CHAMBERS USA 2023

"Jackson Walker is excellent. The team is responsive and detail-oriented. I would highly recommend them without hesitation."

– CLIENT QUOTE,
CHAMBERS USA 2023

JW Presenters and Broader Team



Brit Nelson
(Presenter)



Jackie Staple
(Presenter)



Christina Vitale
(Presenter)



Jamila Brinson



Dawn Holiday



Bob Latham

Our team offers extensive experience handling complex and sensitive investigations, providing clients with effective legal solutions tailored to their specific needs.

Your JW Investigations Team



Jackie C. Staple

Partner, Houston

713.752.4415

jstaple@jw.com

[View biography](#)

Jackie Staple, a labor and employment attorney based in Jackson Walker's Houston office, focuses on advising and counseling companies on employment law compliance and handling labor and employment transactional matters. Jackie has depth of experience drafting various employment, separation and release, and restrictive covenant agreements, as well as conducting due diligence of employment considerations in equity and asset transactions as a member of mergers and acquisitions deal teams.

Jackie helps employers create and update sound policies and procedures, including multi-state employee handbooks, to comply with ever-changing employment laws. If an employee files an internal complaint, Jackie has experience serving as an independent investigator to interview witnesses and provide factual findings and recommendations.

When litigation is unavoidable, Jackie calls upon her background in education and the arts, as well as her litigation experience, to guide clients through administrative processes and prepare for trial. She has handled numerous administrative charges across the country filed with the Equal Employment Opportunity Commission, National Labor Relations Board, Occupational Safety and Health Administration, and similar state agencies. Jackie has defended employers in lawsuits involving allegations of sexual harassment, discrimination, retaliation, wrongful termination, whistleblowing, breach of employee covenants, and breach of employment contracts. Specifically, she has handled matters related to Title VII, FLSA, ADA/ADAAA, ADEA, FMLA, NLRA, and various other state laws.

Recognition & Accolades

- *Best Lawyers: Ones to Watch* (Woodward/White Inc.)
 - Education Law, 2021-2024
 - Labor and Employment Law – Management, 2021-2024
 - Litigation – Labor and Employment, 2021-2024



Practice Areas

- Labor & Employment
- Business Immigration & Compliance

Education

- B.S., *cum laude*, Case Western Reserve University
- M.A., Case Western Reserve University
- J.D., *summa cum laude*, Cleveland State University College of Law
 - Cleveland State Law Review

Bar Admissions

- Ohio
- Texas

Your JW Investigations Team



Christina Vitale

Partner, Houston

713.752.4400

cvitale@jw.com

[View biography](#)

Christina Vitale represents clients in complex and sensitive investigations as well as litigation before state and federal courts. Christina offers sophisticated solutions to navigate complex investigations and has commercial litigation experience related to civil, criminal, multi-state litigation, multi-district litigation, and class action litigation. She also handles a broad range of compliance issues and investigation matters, including:

- Sexual abuse, misconduct, and other complex criminal allegations
- Civil and criminal matters
- Internal compliance auditing
- Open Record and FOIA Requests
- Trials including fact and expert pre-trial discovery

Christina undertakes complex investigations, both internally and externally, for clients, litigates complex matters and class actions before U.S. state and federal courts. She also represents clients before federal and state regulatory agencies, including the Consumer Financial Protection Bureau, the Office of the Comptroller, and state attorneys general. Christina offers experience handling complex and sensitive investigations (both internal and external), sexual abuse allegations and misconduct, and related criminal and civil matters.

Recognition & Accolades

- *Lawdragon* 500 Leading Litigators in America, 2023-2024
- Lead investigator for sexual abuse and misconduct claims for religious and other entities
- Co-lead of independent investigation into a 1997 Oklahoma death penalty case (*Oklahoma v. Richard Glossip*)



Practice Areas

- Trial & Appellate Litigation

Education

B.A., *magna cum laude*, with honors, University of Arizona
J.D., *summa cum laude*, American University Washington College of Law

- Order of the Coif

Bar Admissions

Texas
Arizona
District of Columbia

Your JW Investigations Team



Jamila M. Brinson

Partner, Houston

713.752.4356

jbrinson@jw.com

[View biography](#)

Jamila Marie Brinson is a zealous advocate for her clients. She understands that one size does not fit all and that each client's legal needs and goals are unique. She listens to and partners with each client to craft and implement legal strategies to obtain the best possible result in the shortest amount of time with the least amount of distraction to her clients' business. Jamila is fluent in Spanish and utilizes her language skills to the benefit of her clients.

Jamila chairs Jackson Walker's Diversity & Inclusion Counseling practice, which serves clients who are committed to fostering inclusion in its corporate culture by implementing and maintaining effective and legally compliant diversity, equity, and inclusion related strategy, policies and procedures. She is often brought in by clients to conduct workplace culture assessments and propose plans of action to remedy legal concerns and decrease risk. Jamila actively participates in academic, community and law firm efforts to recruit, develop, retain and celebrate a more diverse and inclusive workforce.

Jamila brings a practical perspective to her work. Before going to law school, she was a United States Peace Corps Volunteer and worked in the area of HIV/AIDS education, advocacy, support, and care. While in law school, she interned in the office of Chief United States Bankruptcy Judge Marvin Isgur, Southern District of Texas, and was a Law Clerk in the Civil Division of the United States Attorney's Office for the Southern District of Texas. She was also a Legal Extern in the Office of General Counsel at Baylor College of Medicine, and with BP America, Inc. Jamila was selected as a University of Houston Law Center Health Law Fellow during the 81st Texas Legislature and worked as a Health Policy Analyst for former Texas State Senator Leticia Van de Putte.

Recognition & Accolades

- *The Best Lawyers in America* (Woodward/White Inc.), Employment Law – Management, 2024
- DEI Influencer Award, DEI National Convention, 2023



Practice Areas

- Labor & Employment
- Trial & Appellate Litigation

Education

B.A., *cum laude*, University of Pennsylvania

- Dean's List

J.D., University of Houston Law Center

- Dean's Scholar

Leading Diversity, Equity, and Inclusion Certification, Northwestern Weinberg College of Arts & Sciences

Bar Admissions

Texas

Your JW Investigations Team



Dawn S. Holiday

Partner, Houston

713.752.4273

dholiday@jw.com

[View biography](#)

Dawn Holiday is an experienced litigation attorney representing clients in a wide variety of labor and employment matters. Dawn is no stranger to the courtroom and she primarily represents employers in state and federal courts, arbitrations, and administrative proceedings in various jurisdictions. Dawn's unfair advantage is her ability to tackle the day-to-day issues in the workplace setting and provide zealous advocacy in the courtroom setting. Because of her knowledge and years of experience, she equips employers with sound legal counsel throughout the entire employment life cycle. The bottom line: When employers face workplace challenges involving employees, they call Dawn for solutions.

Dawn is a champion of diversity, equity and inclusion in the legal profession. Dawn has personally mentored law students and young lawyers on navigating the complexities faced by racially, socio-economically, and gender diverse lawyers. Internally, Dawn is a member of Jackson Walker's Diversity and Inclusion Committee and externally, she is a frequent speaker on issues related to hiring, retaining and advancing people of color. Dawn is also a Fellow of the Leadership Council on Legal Diversity. Having obtained a Diversity & Inclusion Certificate from Cornell University, Dawn has been asked to provide DEI trainings and workplace culture assessments for organizations throughout the US.

In addition to her commitments to diversity, community service and future generations, Dawn brings leadership to her practice. Dawn is a graduate of the Houston Young Lawyers Association's Leadership Academy and Leadership Montgomery County. Dawn served on the Board of Directors for Northland Christian School. Currently, Dawn is a Board Member of the University of Houston Alumni Association Foundation.

Recognition & Accolades

- *Lawdragon* 500 Leading U.S. Corporate Employment Lawyers, 2020-2022



Practice Areas

- Labor & Employment
- Trial & Appellate Litigation

Education

B.A., *magna cum laude*, University of Houston

M.A., *summa cum laude*, Moody Bible Institute

J.D., South Texas College of Law Houston

- South Texas Law Review, Articles Editor
- Diversity and Inclusion Certification, Cornell University

Bar Admissions

Texas

Your JW Investigations Team



Robert P. Latham

Partner, Dallas

214.953.6095

blatham@jw.com

[View biography](#)

In his 40 years as a trial lawyer, Bob Latham has distinguished himself in multiple areas. He has developed nationally recognized experience in the areas of media law and intellectual property litigation. At the same time, his trial practice involves complex commercial disputes as well as unfair competition, securities, fiduciary, employment, professional negligence, banking, construction, real estate, product liability, telecommunications, energy, international, and class action matters.

Bob relishes and excels in the courtroom, and if a case cannot be resolved or disposed of in any other way he will be ready, willing, and able to try it. Bob believes that litigation is fluid, and it is therefore important to stay in close communication with his clients to make sure that the objectives are clear at all times and that there is an efficient strategy in place for achieving them.

As well as a trial lawyer, Bob is a published author and columnist, and a much sought-after speaker nationally and internationally. He has spoken on matters related to the rights of free speech, technology and intellectual property litigation, advocacy and litigation strategy, dispute resolution and sports - from Antwerp to Cape Town, Rio de Janeiro to Glasgow, Yangzhou to Melbourne, and Seattle to Miami. His publications sometimes take a humorous look at the legal profession. Bob has been interviewed many times by media outlets including CNN, ESPN, USA Today, The New York Times, and 60 Minutes Sports.

Bob is also a U.S. Rugby Hall of Fame inductee.

Recognition & Accolades

- *The Best Lawyers in America* (Woodward/White Inc.), 2007-2024
 - First Amendment Law, 2009-2024
 - Litigation – Intellectual Property, 2011-2024
 - Sports Law, 2007-2024 (Lawyer of the Year – Dallas/Fort Worth, Sports Law, 2018, 2021, 2024)
- *Lawdragon* 500 Leading Litigators in America, 2023-2024



Practice Areas

- Trial & Appellate Litigation
- Cybersecurity, Data Protection, & Privacy
- Intellectual Property

Education

A.B., Stanford University
J.D., University of Virginia School of Law

Bar Admissions

Texas

Your JW Team



Brit Nelson

Partner, Houston

713.752.4419

bnelson@jw.com

[View biography](#)

Brit Nelson has been practicing Intellectual Property law across a broad spectrum of transactional and litigation matters for nearly 30 years. Prior to his legal career, he amassed 10 years of hands on, practical industrial experience as a mechanical engineer in design and manufacturing in aerospace and oil field applications, and is a licensed professional engineer. He transitioned to law school while supporting a family and began practicing intellectual property in 1992.

Brit has served as counsel to clients in matters involving: preparing and handling thousands of patent, trademark, and copyright prosecution files domestically and internationally through foreign counsel; patent, trademark, and copyright licensing; trademark, trade secret, unfair competition, and patent litigation; intellectual property audits; conducting due diligence with teams of corporate and merger attorneys; domain name disputes; trademark and patent noninfringement and invalidity opinions; freedom to operate product and process clearance opinions; design around analyses; and negotiations of agreements affecting IP rights.

Brit has handled patents for a variety of technologies as well. Examples include medical devices (cannulas, pumps, ureteral stents, esophageal stents, orthopedic devices), spectroscopy, magnetic resonance imaging markers, training tools for physically challenged persons, photocatalytic gas filtering systems, onshore chemical processing plants, offshore floating platforms, solar energy applications, oil field equipment, new forms of propulsion, green energy, solar and wind turbines, software, jet engine monitoring systems, foods, process flow sensors, on-body movement detectors determined by antenna reflection coefficients, and ENZ energy absorbers.

Recognition & Accolades

- *The Best Lawyers in America* (Woodward/White Inc.), Litigation – Intellectual Property, 2024



Practice Areas

- Intellectual Property

Education

B.S., Engineering, Texas A&M University

J.D., Baylor Law School

- Baylor Law Review

Bar Admissions

Texas

Colorado



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