



Katie L. Dysart

Shareholder

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Katie Dysart is an experienced commercial litigator who focuses on the defense of companies including financial institutions in a wide variety of trial and appellate cases and arbitrations.

Ms. Dysart offers clients a broad range of business litigation experience with a focus on consumer-related litigation and class action defense, including the representation of mortgage lenders, servicers and investors in bankruptcy, default and other contested litigation and REO of single-family and multi-family residential properties as well as commercial properties.

Ms. Dysart also devotes a significant portion of her practice to general trial practice and appellate work. She is experienced in labor and employment issues, including the defense of nationwide collective actions brought under the Fair Labor Standards Act. In addition, Ms. Dysart has extensive experience defending, counseling and advising foreign and domestic insurers on first- and third-party coverage issues relating to various claims under the laws of multiple states.

Representative Matters

- Represented commercial lenders in connection with foreclosures and REO of residential development projects, multi-family housing properties, commercial condominium/apartment units and other commercial properties.
- Obtained favorable judgment in breach of contract action after eight-day bench trial.
- Obtained extremely favorable settlement in TCPA matter involving arguably unauthorized calls.
- Represented corporations and financial institutions in TCPA actions, including but not limited to, a proposed nationwide class.
- Obtained early dismissals of purported nationwide class actions through early motion practice.
- Successfully resolved nationwide class action against corporation in TCPA actions.
- Prevailed before the U.S. 5th Circuit Court of Appeals, which upheld a district court judgment dismissing a suit which sought to annul a bank's "executory process" foreclosure and recover damages for the allegedly wrongful seizure and sale of the mortgaged premises. This decision established favorable federal precedent barring similar actions grounded upon technical procedural and/or evidentiary issues within Louisiana executory process foreclosure proceedings.
- Prevailed on behalf of multiple mortgage servicers in an action before the U.S. District Court for the Eastern District of Louisiana in a federal civil RICO Act suit brought on behalf of multiple Louisiana parish clerks, related to alleged improprieties involving the recordation and administration of mortgage loan assignments; court dismissed the entire action with prejudice.
- Represented a residential mortgage company in a contentious foreclosure action involving a damaged property. Negotiated a loan modification entitling the debtors to recover the property upon compliance with the terms of the agreement, which included making repairs. Negotiated a new agreement allowing the debtors to obtain refinancing after they defaulted. Returned to court after the debtors failed to obtain refinancing and ultimately the collateral was returned to the lender, in a repaired state.
- Represented individual property owners in a trial before a Louisiana state court regarding a boundary dispute with a corporate landowner.



Professional Honors & Activities

- Member – Louisiana State Bar Association
- Member – American Bar Association
- Member – Louisiana Bar Foundation's Greater Orleans Community Partnership Panel
- Vice Chair – American Bar Association Litigation Section, Trial Evidence Committee
- Listed as a Louisiana Rising Star in *Louisiana Super Lawyers* in Banking (2015 – 2023)
- Fellow – Louisiana Bar Foundation
- Member – Louisiana Bank Counsel
- Chair – Pro Bono Committee, New Orleans Office
- New Orleans Region Coordinator – Homeless Experience Legal Protection (H.E.L.P.) court program
- Served as a Mentor for Empower 2020 Event presented by Junior Achievement and *CityBusiness* on February 12, 2020
- Listed in *The Best Lawyers in America*® for Real Estate Litigation (2021 – 2024); Mortgage Banking Foreclosure Law (2023, 2024)
- Selected as a *New Orleans CityBusiness* 2022 Leadership in Law Honoree
- Recognized as a "Top Lawyer" by *New Orleans Magazine* in Mortgage Banking Foreclosure Law (2019, 2022, 2023)
- Named a member of *New Orleans City Business* 2018 class of "Women of the Year"



Publications

- "Baker's Dozen – Tips on the Way to the Top," *Women's Initiative Newsletter* (October 2022)
- Co-author – "Five Key Principles in Effective Trial Graphics," *ABA Section of Litigation* (October 2018)
- "Controversial 'Reptile' Strategy Crawls into Courtroom," *American Bar Association Fall Newsletter* (2013)
- Co-author – "#Justice? Social Media's Impact on the U.S. Jury System," *ABA Section of Litigation, Trial Evidence Committee* (August 2013)
- "Managing the CSI Effect in Jurors," *ABA Section of Litigation* (May 2012)



Speaking Engagements

- "Running the eDiscovery Factory," LSBA CLE (November 2019)
- Co-presenter – "Trial Direct and Cross Examinations," The Jurist Speak Out, 34th JDC Bar Convention (July 2019)
- Co-chair and Moderator – "Standing Out Before Standing Up: A Guide to Written and Oral Arguments from the Benches and Trenches," LSBA Seminar (November 2018)
- Moderator – "Top Five 'Unappealing Evidentiary Mistakes,'" ABA Section of Litigation, Appellate Practice and Trial Evidence Committees Roundtable (October 2017)
- Moderator – "View from the Bench: Amendments to the Federal Rules of Civil Procedure," ABA Section of Litigation, Trial Evidence Committee Roundtable (July 2016)
- "FDCPA Overview: Who Can Be Sued And For What?," Defending Against FDCPA Claims Seminar, New Orleans, Louisiana (April 2015)
- "Early Dispute FDCPA Defense Considerations and Strategies," Defending Against FDCPA Claims Seminar, New Orleans, Louisiana (April 2015)
- "Remedial Action in Seven Southeastern States: Louisiana," webinar (April 2014)
- "The ABC's of Foreclosures - Commercial Foreclosures," LSBA Seminar, New Orleans, Louisiana (November 2013)
- Co-chair – "Consumer-Mortgage Law: The Players, Procedures, Practices and Pitfalls," LSBA Seminar, New Orleans, Louisiana (November 2013)
- Collection Law Tips and Strategies, seminar, New Orleans, Louisiana (April 2013)

- Co-presenter – "The Fair Labor Standards Act: Recent Developments and Audits," Baker Donelson Employment Law Seminar for Employers, New Orleans, Louisiana (May 2012)
- Co-presenter – "Notice Issues in the Context of FLSA Collective Actions," ABA/EEO Committee for Liaison with EEOC, OFCCP and DOJ CLE (April 2012)
- "Top Reasons Claims Are Denied from the Insurer's Perspective," Top Property Insurance Bad Faith Claims CLE, New Orleans, Louisiana (March 2012)
- "Fair Debt Collection Practices Act," Collection Law Tips and Strategies CLE, New Orleans, Louisiana (April 2011)



Webinars

- Electronic Funds Transfers and Litigation Risks (June 2023)



Education

- Loyola University New Orleans School of Law, J.D., 2007, with Law Review Honors
 - Member – *Loyola Law Review*
 - Member – Federal Bar Association
 - Member – St. Thomas More Inn of Court
 - Recipient – LaNasa Academic Achievement Scholarship
- Loyola University, B.A., 2004, with Honors



Admissions

- Louisiana
- United States District Courts, Eastern, Middle and Western Districts of Louisiana