

## Randall K. Lindley

### Partner

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**WHETHER FOR AN INSTITUTIONAL LENDER OR A COMPANY ENFORCING COLLECTION OF MONIES OWED FROM A TRANSACTION OR JUDGMENT, RANDY BRINGS PROVEN STRATEGIES AND DECADES OF EXPERIENCE TO THE DEBT RECOVERY PROCESS. CLIENTS APPRECIATE HIS FOCUS ON PRACTICAL AND BUSINESS-SAVVY APPROACHES THAT ADD TO THE BOTTOM LINE.**

Randy represents clients in the areas of creditors' rights and commercial litigation. He is skilled and experienced with creditors' rights, post-judgment remedies, commercial litigation, civil appeals, mechanic's and materialman's lien claims, construction litigation, landlord-tenant litigation, and foreclosures.

## Creditors' Rights

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With decades of experience, Randy represents creditors in trials and appeals based on promissory notes, guarantees and unpaid accounts, and in sequestration actions to recover collateral. His representation often focuses on the payment of judgments through garnishments, turnover actions and judicial foreclosures. He also assists creditors in discovering assets via post-judgment depositions and online investigations. In addition, he frequently domesticates judgments from other states into Texas for enforcement purposes. Randy has significant experience defending creditors from Fair Debt Collection Practices Act (FDCPA) lawsuits and usury claims. In addition, he counsels with credit managers regarding unpaid accounts and credit policies and procedures.

## Financial Industry Experience

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Frequently engaged by institutional lenders, Randy's financial industry clients routinely seek his assistance concerning collection of defaulted loans and recovery and foreclosure of secured properties.

## Construction and Real Estate Experience

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In the construction industry, Randy routinely represents contractors and suppliers in construction litigation, arbitration proceedings, and the perfection of lien claims and payment bond claims. He also represents owners and general contractors with their construction disputes. On behalf of commercial landlords, he handles landlord/tenant disputes and breach of lease litigation.

## Commercial Disputes

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Randy's litigation experience is extensive. He has litigated numerous breach of contract, debt collection, and construction related disputes. He recently handled certain construction litigation and a related arbitration proceeding for an electrical power service company and recovered in excess of \$3.5 million. His breach of contract victories include a number of multimillion dollar recoveries. In addition, he has litigated several federal court lawsuits based on payment bond claims in excess of \$1 million each. Among his trial victories, he obtained a favorable jury verdict resulting from a state court trial involving a real estate loan. He has also handled a number of arbitrations involving stock purchase agreements and construction claims. He has handled numerous appeals in both state and federal courts.

## Representative Experience

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Some of the clients Randy has represented include:

### **Financial Industry**

- Arrow Financial
- Berkshire Bank
- The Cadle Company
- Equilease Financial Services
- Export Development Canada
- First Financial Bank
- Hanmi Bank
- JP Morgan Chase
- Marine One Acceptance
- Pioneer Credit Recovery

- Stanford Federal Credit Union
- TD Banknorth
- Vertex Financial

#### **Construction Industry**

- Action Stainless
- Adleta Corporation
- Associated Truss
- Avalanche Equipment
- Barnsco
- Big D Concrete
- Cedar Creek Lumber
- Century HVAC
- CMC Design
- Crawford Electric
- Dakota Harwoods
- DHB Concrete
- Delta Steel
- Distribution International
- DW Distribution
- Ferguson Enterprises
- Foxworth-Galbraith Lumber
- Hajoca Dallas
- Holcim, Inc.
- Lhoist North America
- Mayer Electric Supply

- Romar Supply
- Lennox Industries
- P&G Power
- Reeder Distributors
- Rexel
- ROMCO Equipment
- Standard Supply
- Stine Equipment
- TDIndustries
- Thompson Pipe Group

#### **Other Clients**

- Bradsby Group
- Cowboy Trucking
- Dial Lubricants
- First Financial Bank
- Guardiar
- HESCO
- MarineOne
- Olmstead-Kirk Paper Company
- Securus Technologies
- Sub-Zero

## Noteworthy

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- Selected by attorney peers for inclusion in *The Best Lawyers in America*®, 2021–2025
- Named one of the "Litigation Stars" in the *Benchmark Litigation Guide*, 2021–2024

- Selected for inclusion in *Texas Super Lawyers*®, Thomson Reuters, 2005, 2023–2024
- AV® Peer Review Rated in Martindale-Hubbell. AV®, AV Preeminent®, Martindale-Hubbell Distinguished<sup>SM</sup> and Martindale-Hubbell Notable<sup>SM</sup> are Certification Marks used under license in accordance with the Martindale-Hubbell® certification procedures, standards and policies.

## Activities and Memberships

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- Dallas Bar Association
  - Member
- National Association of Credit Management
  - Member

## Publications

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- "Manual of Credit and Commercial Laws 112th Edition, Update of Texas Law Chapters on Liens, Bonds and Trust Funds," National Association of Credit Management, author; 2023.
- "Kings, Vikings and Credit Managers," NACM Southwest; 2022.
- "Manual of Credit and Commercial Laws 111th Edition, Update of Texas Law Chapters on Liens, Bonds and Trust Funds," National Association of Credit Management, author; 2022.
- "Manual of Credit and Commercial Laws 110th Edition, Update of Texas Law Chapters on Liens, Bonds, and Trust Funds," National Association of Credit Management, author; 2019.
- "Why Construction Creditors Must Pay Close Attention to Change Orders," NACM eNews, quoted; September 2021.
- "NACM Southwest Show of Strength Gets Bill Changed," NACM eNews, quoted; May 2021.
- "Another Proposed Texas House Bill Met with Backlash Over Language Issues," NACM eNews, interview; April 2021.
- "Proposed Texas Bill Would Change State's Mechanic's Lien Process," NACM eNews, interview; April 2021.
- "Texas Legislative Update: Potential Changes to the Mechanic's and Materialman's Lien Laws," NACM Southwest; 2021.

- "Completing Service of Process and Establishing Proof of Delivery in Light of COVID-19 Social Distancing Orders," *Business Credit*, NACM magazine; June 2020.
- "COVID-19 Issues and Answers for NACM Members," Bell Nunnally Client Alert, co-author; March 2020.
- "Preparing for a Slowdown in Accounts Receivable Collection Due to COVID-19," NACM eNews; April 2020.
- "Bills Overhaul Lien Filing in Texas and Louisiana," NACM eNews, interview; June 2019.
- "Manual of Credit and Commercial Laws 110th Edition, Update of Texas Law Chapters on Liens, Bonds, and Trust Funds," National Association of Credit Management, author; 2019.
- "Manual of Credit and Commercial Laws 111th Edition, Update of Texas Law chapter on Secured Transactions," National Association of Credit Management, author; 2019.
- "Manual of Credit and Commercial Laws 110th Edition, Update of Texas Law Chapters on Liens, Bonds, and Trust Funds," National Association of Credit Management, author; 2018.
- "Manual of Credit and Commercial Laws 109th Edition, Update of Texas Law Chapters on Liens, Bonds, and Trust Funds," National Association of Credit Management, author; 2018.
- "[Preparing for Cyberattacks in Construction](#)," NACM eNews, interview; August 2017.
- "[Don't Mess with Texas' Mechanic's Lien Law: Proposed Bill Would Be Net Negative for Suppliers](#)," *Business Credit*, NACM magazine, interview; June 2017.
- "Manual of Credit and Commercial Laws 108th Edition," Chapter on "Secured Transactions: A Step-by-Step Explanation," National Association of Credit Management, author; 2017.
- "[Proposal to Change Texas Lien Laws Includes Changes to Highly Complex Notice System](#)," NACM National eNews, interview; September 2016.
- "[Where No One Has Gone Before: Navigating the Proposed Changes to the Texas Lien Laws](#)," NACM Southwest, co-author; 2016.
- "[Socially or Economically Disadvantaged Businesses Bring Opportunity and Risks](#)," *Business Credit*, NACM magazine, interview; May 2016.
- "Subguarding the Claims of Subcontractors and Suppliers: Does 'Subguard' Insurance Replace Payment Bonds?" NACM Southwest E-Credit News, September 2015.
- "The AR 'Process,'" *Business Credit*, NACM magazine, February 2015.
- "The Accounts Receivable 'Process,'" CFDD Newsletter; December 2014.

- ["Step Carefully When Crossing a Texas Minefield,"](#) *Business Credit*, NACM magazine, co-author; September/October 2014.
- ["Don't Become Roadkill: New TXDOT Rules Can Alter Claim Deadlines on Highway Projects,"](#) *Business Credit*, NACM magazine, co-author; April 2014.
- "Be Nice to the 800 Pound Gorilla!!" *The Connection*, NACM Southwest E-Credit News; 2012.
- ["No Trees Need Apply,"](#) *Business Credit*, NACM magazine, interview; February 2012.
- ["Be Careful Who You Call a Deadbeat,"](#) *The Connection*, NACM Southwest E-Credit News, author; January 2011.
- "Texas Amends Fraudulent Lien Statute," NACM Southwest E-Credit News; 2009.
- "Manual of Credit and Commercial Laws 94th thru 107th Editions, Texas section of chapters on Mechanics' Liens and Construction Bonds on Public Projects," National Association of Credit Management, co-author; 2003–2016.

## Presentations

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- "Gladiators II," NACM Southwest, presenter; May 8, 2025.
- "Beginner Bonds & Liens," NACM Southwest, presenter; February 20, 2025.
- "Construction Law Battlefield," 2024 NACM All South Credit Conference, presenter; September 19, 2024.
- "Believe But Verify – Advanced Bonds and Lien," NACM Southwest, presenter; May 16, 2024.
- "Construction Law Battlefield," NACM, presenter; May 13, 2024.
- "Credit Pros: Education Tour 'Ask the Lawyer' Q&A Session," NACM Southwest, presenter; May 8, 2024.
- "Navigating Bankruptcy from Ryan's Perspective," Ryan Leaderships Summit, presenter; May 8, 2024.
- "2024 Legal Updated: FDCPA & New CFPB Regulations," The Cadle Company, presenter; April 3, 2024.
- "Believe But Verify – Beginner Bonds and Lien," NACM Southwest, presenter; February 29, 2024.
- "AI & Cybersecurity," NACM Southwest All South Conference, presenter; September 26, 2023.
- "Debtor Liability Questions (Who Pays?)" NACM Southwest, presenter; August 24, 2023.
- "Secured Transactions 101," Hajoca Corporation, presenter; June 27, 2023.
- "Lien Filing and Beyond! Advanced Bonds and Liens," NACM Southwest, presenter; May 18, 2023.

- "2023 Legal Updated: FDCPA & New CFPB Regulations," The Cadle Company, presenter; April 6, 2023.
- "35 Years of Making Debtors Pay," NACM Southwest All South Conference, presenter; 2022.
- "Bankruptcy: A 10-Letter Word," Hajoca Webinar, presenter; 2022.
- "The Future is Now: E-Contracts are Legally Enforceable," NACM Southwest Fuel Distributors Group, presenter; 2022.
- "The Future is Now: E-Contracts are Legally Enforceable," NACM Southwest Houston Builders' Group, presenter; 2022.
- "2022 Legal Updated: FDCPA & New CFPB Regulations," The Cadle Company, presenter; 2022.
- "No Way (to build a) Home Without Maintaining your Lien Rights (Advanced Bonds & Liens Class)," NACM; 2022.
- "No Way (to build a) Home Without Maintaining your Lien Rights (Beginners Bonds & Liens Class)," NACM; 2022
- "Change Orders: The Good, The Bad and The Ugly," NACM; 2021.
- "2021 Legal Update: FDCPA & New CFPB Rules," The Cadle Company; 2021.
- "Texas House of Representatives House Bill 2237," Testified before the Business & Industry Committee of the Texas House of Representatives; April 6, 2021.
- "Town Hall Meeting," NACM Southwest, moderator; 2021.
- "Star Wars Rise of Skywalker: Asserting Lien & Bond Claims in Texas," NACM Southwest (webinar); 2020.
- "File your Liens like a Skywalker (Advanced Class)," NACM Southwest (webinar); 2020.
- "Texas Mechanic's and Materialman's Liens in the COVID-19 World," NACM Southwest (webinar); 2020.
- "COVID-19 Impact on Texas: Know Your Legal Rights Part Two," NACM Southwest (webinar); 2020.
- "COVID-19 Impact on Texas: Know Your Legal Rights," NACM Southwest (webinar); 2020.
- "The Doctors," panelist on the TV talk show; 2020.
- "Risk Mitigation Through Better Documents," NACM/CFDD (oral and written presentation); 2019.
- "File Your Liens Like an Avenger (Advanced Class)," NACM Southwest (oral and written presentation); 2019.
- "File Your Liens Like an Avenger (Beginners Class)," NACM Southwest (oral and written presentation); 2019.



- "Evaluating the Account Receivable Process From A Legal Point of View," Texas Security Bank (oral and written presentation); 2019.
- "2019 Legal Update: FDCPA & Texas Creditors' Rights Case Law," The Cadle Company (oral and written presentation); 2019.
- "Evaluating the Account Receivable Process From A Legal Point of View," NACM Southwest Houston (oral and written presentation); 2019.
- "File Your Liens Like a Jedi," NACM Southwest Austin (oral and written presentation); 2018.
- "To Lien or Not to Lien: The Cost /Benefit Analysis," NACM Southwest Waco; 2018.
- "Personal Guaranties that 'Save the Day': Top 10 Guaranty Mistakes," NACM CFDD (oral and written presentation); 2018.
- "Antitrust Law Update - 2018," NACM's National Non Ferrous Metals Trade Credit Group; 2018.
- "File Your Liens Like a Jedi (Advanced Class)," NACM Southwest (oral and written presentation); 2018.
- "File Your Liens Like a Jedi (Beginner Class)," NACM Southwest (oral and written presentation); 2018.
- "2018 Legal Update: FDCPA & Collecting Judgments in Texas," The Cadle Company (oral and written presentation); 2018.
- "The Electronic World of Credit," NACM's 121st Credit Congress (oral and written presentation); 2017.
- "Asserting Lien & Bond Claims in Texas (Advanced Class)," NACM Southwest (oral and written presentation); 2017.
- "Asserting Lien & Bond Claims in Texas (Beginner Class)," NACM Southwest (oral and written presentation); 2017.
- "2017 Legal Update: FDCPA & Bankruptcy Issues," The Cadle Company (oral and written presentation); 2017.
- 2016: "Bankruptcy: A Creditor's Viewpoint," Lennox Industries (oral and written presentation); 2016.
- "Dealing with Sureties," NACM Southwest, CFDD; 2016.
- "[I've Got a Judgment, Now What? Turning Your Judgment into Cash!](#)" NACM All-South Credit Conference (oral and written presentation); 2016.
- "Asserting Lien & Bond Claims in Texas (Advanced Class)," NACM Southwest (oral and written presentation); 2016.

- "Asserting Lien & Bond Claims in Texas (Beginner Class)," NACM Southwest (oral and written presentation); 2016.
- "2016 Legal Update: FDCPA & Texas Case Law," The Cadle Company (oral and written presentation); 2016.
- "From There to Here, From Here to There, Lien Things are Everywhere!" Barnsco (oral and written presentation); 2015.
- "From There to Here, From Here to There, Lien Things are Everywhere!" NACM Southwest (oral and written presentation); 2015.
- "From There to Here, From Here to There, Lien Things are Everywhere!" NACM Southwest CFDD (oral and written presentation); 2015.
- "Business Credit Applications & Guaranties," NACM (oral and written presentation); 2015.
- "Secured Transactions: Protecting your Credit Decision," NACM CFDD (oral and written presentation); 2015.
- "Asserting Mineral Liens in Texas, New Mexico, and North Dakota," Sun Valley Electric (oral and written presentation); 2015.

## Credentials

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### Education

- JD, Southern Methodist University Dedman School of Law, 1986
- BS, Business, The University of Texas at Dallas, *summa cum laude*, 1981

### Admissions

- Texas
- Supreme Court of the United States
- United States Court of Appeals for the Fifth Judicial Circuit
- United States District Courts for the Northern, Southern, Eastern and Western Districts of Texas
- United States Bankruptcy Court for the Southern District of Texas