



## Thomas P. Brandt

Partner

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Tom Brandt represents cities, counties, school districts, public officials and private sector clients in the areas of civil rights and employment law and has included significant cases at every level of the state and federal courts, including numerous cases before the appellate courts, the Texas Supreme Court, the United States Court of Appeals for the Fifth Circuit, and the United States Supreme Court.

In addition to his active litigation practice, Tom has performed general counsel services for several local government entities and private businesses and has been chosen to conduct high-profile public integrity investigations. On two separate occasions, Tom was hired by a major city in the Dallas-Fort Worth Metroplex to investigate allegations of wrongdoing by that city's police chief.

Named an "Impact Player of the Year" by *Texas Lawyer* for his en banc victory in *Morgan v. Swanson*, 659 F.3d 359 (5th Cir. 2011) (the "Candy Cane Case"), Tom has consistently been recognized as one of Texas' top lawyers.

### Background

His legal career started as a Dallas prosecutor handling hundreds of cases. Quickly promoted to the federal litigation section of the Dallas City Attorney's office, Tom handled numerous trials and appeals in federal court involving a wide variety of civil rights cases, including excessive force, false arrest, race discrimination, class actions and constitutional challenges to the City's sexually-oriented business ordinance. He assisted in the preparation of briefs and the presentation of oral argument before the United States Supreme Court in the landmark case of *FW/PBS, Inc. v. City of Dallas*, 493 U.S. 215 (1990).

### Representative Experience

Upheld constitutionality of majority of municipal ordinance regulating sexually oriented businesses.

FW/PBS, Inc., v. City of Dallas, 493 U.S. 215 (1990)

Court of appeals reversed the trial court's denial of summary judgment and held that the plaintiff failed to properly initiate the administrative grievance procedures jurisdictionally required by the Texas Whistleblower Act.

Fort Worth Indep. Sch. Dist. v. Palazzolo, No. 02-13-00006-CV, 2014 Tex. App. LEXIS 291 (Tex. App. Fort Worth Jan. 9, 2014)

School district was not deliberately indifferent to the rights of disabled elementary school student who committed suicide at school.

Lance v. Lewisville Indep. Sch. Dist., 743 F.3d 982 (5th Cir. 2014)

Held that teacher did not violate student's constitutional rights by failing to report alleged sexual abuse despite state law requiring report.

Doe v. Rains County Indep. Sch. Dist., 66 F.3d 1402 (5th Cir. 1995)

Joseph Palazzolo v. Fort Worth ISD; 271st Judicial District; Wise County, Texas; Cause No. CV12-07-438

Granted qualified immunity to elementary school principals on First Amendment challenge involving claims of viewpoint discrimination against student religious speech.

Morgan v. Swanson, 659 F.3d 359 (5th Cir. 2011) (en banc)

Reversed and rendered judgment for school district and public official in retaliation/Whistleblower case.

Midland Indep. Sch. Dist. v. Watley, 216 S.W.3d 374 (Tex. App. – Eastland 2006, no pet.)

Upheld decision dismissing student's First Amendment claims relating to the student's proposed commencement prayer.

Furley v. Aledo Indep. Sch. Dist., 218 F.3d 743 (5th Cir. 2000)

Nadiya Boldware v. Denton County et al; U.S. District Court, Eastern District, Sherman Division; Cause No. 4:09-cv-00591

Monroe Shops Partners, Ltd. v. Dallas Area Rapid Transit; No. DC-08-01935; 44th Judicial District Court, Dallas County, Texas

Breggett A. Rideau et al v. Keller Independent School District et al, U.S. Northern District of Texas, Fort Worth Division; CN: 4:10cv00926Y

## **Awards & Recognition**

TEXAS SUPER LAWYERS

Listed for Constitutional Law

2005, 2009-2011, 2014-2025

## BEST LAWYERS IN AMERICA

Listed for Constitutional Law, Education Law, Litigation - Labor and Employment  
2020-2022, 2025-2026

## TEXAS LAWYER

Impact Player of the Year  
2011

## MARTINDALE HUBBELL

AV Preeminent Rating

## Related Services

Appellate Litigation

Business and Commercial

Governmental Entities and Civil Rights Defense

Labor & Employment

Professional Liability

## Publications & Speaking Engagements

Ethical Considerations for School Lawyers Handling High Profile Cases  
UT School Law Conference  
February 2025

Employment Case Law Update: Recent Decisions of Interest to School Personnel  
UT School Law Conference  
February 2024

Speaking Frankly about Franks  
TAC RMP Defense Counsel Symposium  
October 2022

## Education, Admissions & Activities

### EDUCATION

University of Texas at Austin School of Law  
J.D.

Victoria University of Wellington, New Zealand

L.L.M.

International and Comparative Law

Rotary Foundation Scholar

University of Texas at Austin

MPA

Lyndon B. Johnson School of Public Affairs

University of Texas at Austin

B.A. in Plan II, with honors

## BAR ADMISSIONS

Texas

## COURT ADMISSIONS

Supreme Court of the United States

United States Courts of Appeals

Second and Fifth Circuits

United States District Court of Texas

Northern, Southern, Eastern, and Western Districts

## PROFESSIONAL AND COMMUNITY ACTIVITIES

St. Thomas More Society of Dallas

President, 1997-1998

Federal Bar Association