

News & Insights

Dykema Opens Austin Office with Addition of Top Tax Litigation Lawyers

July 8, 2013

Dykema, a leading national law firm, today announced that it is expanding its platform with a new office in Austin, the firm's second in the state. The office will be in the Chase Bank Tower, 221 West Sixth Street, in downtown Austin.

The lawyers establishing Dykema's Austin office include Kimberly L. Kiplin, an attorney in the firm's Government Policy Group and former Texas Lottery Commission General Counsel; Drew McEwen and Kevin Oldham, tax attorneys who join from their Austin firm, McEwen Oldham, LLC; and Erin B. Dempsey, a real estate attorney from Dykema's Dallas office.

Dykema's Austin presence will be augmented by two Dallas-based Dykema lawyers: David J. Schenck, a member of the Litigation Department and former Deputy Attorney General for the State of Texas, and Bill Finkelstein, who will direct Dykema's Texas offices.

According to Bill Finkelstein, Director of Dykema's Texas offices, "Our expansion into Austin is driven by our single-minded dedication to serve our clients' needs. As Texas is the second most populous state in the nation, and Austin the center of state government, opening an office here makes strong strategic sense. In Austin, we look to expand the model that's worked in other Dykema offices – Chicago, Washington, D.C. and Lansing among them – in which we help clients navigate the maze of regulatory agencies and skillfully work with the government to promote our clients' interests."

Peter Kellett, Dykema's Chairman and Chief Executive Officer adds, "The opening of our Austin office is the latest example of the firm's continued expansion into strategically important business markets, enabling us to add highly regarded and accomplished practitioners, whose focus on client service and business values mirror our own."

"Austin is not only one of the fastest growing metropolitan areas in the country, it has become a center for business and legal activity," added Kim Kiplin. "I'm eager to help foster the firm's growth within this dynamic marketplace."

The new lawyers bring practices that are highly complementary to Dykema nationally, while giving the firm an established presence in Austin. McEwen and Oldham in particular, have over 25 years of combined tax and legal experience in the Austin market, and see tremendous opportunity to take advantage of Dykema's national platform, particularly within the areas of tax controversy and litigation.

"Austin is a growing economy, and tax controversy, litigation, and planning services are becoming extremely valued by oil & gas companies in Texas given the many state and local taxes that apply to their business. As the needs of our clients have continued to evolve, Kevin and I were looking for a platform where we would be able to serve our client's needs from cradle to grave," said McEwen. "Dykema has a number of talented litigators in the Dallas office and across many of the firm's other offices, and having direct access to this network will allow us to handle not only local and state tax controversy and litigation matters, but also federal matters. We look forward to having the opportunity to drive this exceptional value to clients."

"Dykema's strong commitment to client service as well as the good synergy between the firm and our current client base, were the top attributes that attracted us to the firm," added Oldham. "We're both thrilled to be joining Dykema at a time of such extraordinary growth and success."

Advancing Dykema's National and Texas Strategy

The Austin office, which is Dykema's 13th nationwide, is the latest step in bolstering Dykema's growth in the Texas market. Dykema opened the Dallas office in 2007, and during 2013, the firm has added ten new attorneys to the Texas offices.

The Austin announcement follows the firm's recent expansion into Minneapolis, Minnesota and Charlotte, North Carolina. The firm's national presence also includes offices in Detroit, Chicago, Los Angeles and Washington, D.C.

As a premier firm with Midwestern roots, Dykema has developed a national footprint focused on serving Fortune 100 and middle-market companies. Building on its roots and driven by the needs of its clients, the firm has extended its platform nationally by developing sophisticated practices in areas including automotive, consumer financial services, energy and electric distribution, international counsel, infrastructure finance, intellectual property and pharmaceutical/medical device litigation. With over 350 lawyers, Dykema continues to engage in strategic expansion discussions with leading attorneys who can add further depth to key practices.

About the Lawyers

Kimberly L. Kiplin is a senior counsel in Dykema's Government Policy Practice Group. Kiplin has more than 25 years of experience in administrative law, including in government procurement, insurance regulatory, oil and gas regulatory, open government law (open records and open meetings), and gaming law, particularly lottery and charitable bingo. Kiplin served as General Counsel of the Texas Lottery Commission, a unique state agency that is a blend of private enterprise and state government, 1993 to 2012. The Texas lottery is one of the largest business enterprises in Texas government, generating annual sales in excess of \$4.0 billion.

Kiplin is a member of the State Bar of Texas, where she is Vice-Chair of the Administrative and Public Law Section, and a member of the Government Law Section. She is also a member of the Travis County Women Lawyers' Association. Kiplin is also a member in the International Masters of Gaming Law. Kiplin received a B.S. from the University of Texas and a J.D. from St. Mary's University School of Law.

Kevin Oldham joins Dykema from McEwen Oldham, LLC. He provides state and local tax litigation services to clients in all industries and in multiple state jurisdictions. He has represented manufacturers, energy producers, airlines, semiconductor companies, electric utilities, insurers, telecommunication providers, retailers, distributors, and various service providers many of whom are included in the Fortune 500. He is a former employee at the Texas Comptroller of Public Accountants.

Oldham is a member of the State Bar of Texas in the Tax and Administrative Law Sections, the Pennsylvania Bar Association, Tax Section and the Institute for Professionals in Taxation (IPT). He received a B.A. in History from the Texas A&M University and a J.D. from the University of Texas School of Law.

Drew McEwen also joins Dykema from McEwen Oldham, LLC. He focuses on tax litigation and planning in the areas of state and local tax and federal tax. Drew represents clients in various industries, including manufacturing, oil and gas – both production and transportation, retail, timber, finance, various service, and high tech. He provides planning, training and advice to his clients in conjunction with his litigation representation to assist clients on a prospective basis.

In addition, McEwen represents taxpayers by negotiating settlements, drafting taxability requests, negotiating compliance agreements, and drafting contract terms for clients in various jurisdictions. McEwen is a member of the State Bar of Texas in the Tax and Administrative Law Sections, and the Institute for Professionals in Taxation (IPT).

He received a B.B.A. in Accounting, and M.P.A. from the University of Texas at Austin and a J.D. from the University of Texas School of Law.

Erin B. Dempsey is a senior counsel in Dykema's Real Estate Practice Group. Her practice focuses on real estate law. She has experience representing developers, pension funds and other investors in all stages of development, institutional lenders and borrowers in a broad range of debt and equity financings, landlords and tenants in various commercial leasing matters and clients involved in acquisitions and dispositions of real estate.

In addition, Dempsey represents lenders and servicers in connection with loan sales, loan workouts and distressed debt, including loan modifications, the exercising of remedies, property management and the ultimate disposition of secured property.

She is a member of the Greater Dallas Planning Council, the Texas Bar Association, the Dallas Bar Association and Women's Finance Exchange Dallas.

She received a B.A. from the University of Texas at Austin and a J.D. from Emory University.

David J. Schenck is a member in the Litigation Department in Dykema's Dallas and Austin offices. He has broad and deep experience in all aspects of state and federal appellate law, and is Board Certified in Civil Appellate Law by the Texas Board

of Legal Specialization.

Most recently, Schenck served as Deputy Attorney General for the State of Texas. As such, he served as Chief Legal Counsel to the Attorney General, responsible for management of Opinions, Public Finance, General Counsel, Grants Administration and Legal, Technical Support divisions. He also previously served as Commissioner of the Texas Lottery Commission.

He received a B.A., *magna cum laude*, from The State University of New York and a J.D. from Baylor University.

William B. Finkelstein will serve as Office Managing Member of Dykema's Texas offices. A member of the Corporate Finance and Bankruptcy Practice Groups, his nearly 40-year practice is concentrated on providing general business and strategic advice to clients in a broad spectrum of industries, including manufacturing, metals recycling, jewelry, retail, medical-dental equipment and real estate. He has also represented companies, investors and financial institutions in various commercial litigation, restructuring and insolvency matters.

In addition to providing general business advice, Finkelstein's practical experience includes counseling clients on commercial transactions, acquisitions and minimizing insolvency risks in structuring transactions, representing clients in acquisitions of businesses and assets from troubled companies, and representing official committees in bankruptcy cases. He has also represented lenders, exporters and importers and technology-based firms in a wide variety of commercial litigation and insolvency matters.

Finkelstein, an Austin native, received a B.A. from The University of Texas and a J.D., *cum laude*, from Baylor Law School.

Attorneys

William B. Finkelstein

Practice Areas

Administrative Law & Regulation

Bankruptcy, Insolvency & Creditors' Rights

Corporate Finance

Federal Tax

Gaming & Indian Law

Government Policy & Practice

Leasing & Property Management

Litigation

Real Estate

Real Estate Development

Real Estate Finance

State & Local Tax

Tax Controversies & Litigation

Industries

Energy Lobbying, Legislative & Government Affairs