



BRANDON B. CATE
Managing Member

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Commercial Litigation, ERISA Litigation, Employment Litigation, Class Action Defense, Mortgage Servicing Litigation, Real Estate Litigation, Media Law, Eminent Domain, Appeals

Mr. Cate is a litigation attorney in the firm's Northwest Arkansas office. His practice focuses on commercial litigation, including litigation concerning ERISA, employment, mortgage servicing, real estate, media law, eminent domain, products liability, and class action defense. His experience includes representing defendants in putative class actions filed in Arkansas and Missouri regarding Internet practices, defending a national mortgage servicer in a putative class action concerning mortgage practices, and defending a publicly traded company in a putative class action against claims of employment discrimination. He has defended mortgage servicers in litigation filed in Arkansas, Missouri, Minnesota, Tennessee, Kansas, and Mississippi. He regularly represents insurance companies in ERISA-benefits and other group-benefits litigation in Arkansas and Tennessee courts. He also represented a natural gas pipeline company in successfully securing through eminent domain a right of way covering the distance of one-half of the State of Arkansas. Mr. Cate is listed in *The Best Lawyers in America®* in the areas of Commercial Litigation, Eminent Domain and Condemnation Law, Employee Benefits (ERISA) Law, Litigation - ERISA, and Litigation - Labor & Employment (Fayetteville Lawyer of the Year 2022 and 2025), and Media Law. He is recognized in the area of Employee Benefits by *Super Lawyers*, and was named to the 2016 Under 40 Hot List, a Future Star in Litigation, and a Labor & Employment Star – South by *Benchmark Litigation*. He is rated AV Preeminent® by Martindale-Hubbell.

Mr. Cate advises media and government entities on defamation, First Amendment, and Freedom of Information Act issues. His recent trial work includes successfully representing a newspaper and its reporter in obtaining a 911 recording and other documents pursuant to the Arkansas Freedom of Information Act. He also successfully defended at trial an Arkansas state agency in a lawsuit that sought through the Arkansas Freedom of Information Act the identity of a confidential criminal informant.

Mr. Cate's recent trial work also includes successfully obtaining a declaratory judgment in favor of landowners whose neighbor sought to take by adverse possession 27 acres of land outside of Harrison. And Mr. Cate successfully defended at trial two Fayetteville homeowners who had been sued for breach of a real-estate agreement.

Mr. Cate's recent work also includes representation of a national company in obtaining summary judgment on claims of employment discrimination and retaliation in the company's Rogers warehouse.

Mr. Cate's appeal work includes the following published decisions:

- *Moore v. Apple Central, LLC*, 893 F.3d 579 (8th Cir. 2018)
- *County of Ramsey v. MERSCORP Holdings, Inc. et al.*, 776 F.3d 947 (8th Cir. 2014)
- *Brown v. Mortgage Electronic Registration Systems, Inc. et al.*, 738 F.3d 926 (8th Cir. 2013)
- *Daigle v. Hartford Life & Accident Ins. Co.*, 452 Fed Appx. 689 (8th Cir. 2011)
- *Booth v. Riverside Marine Remanufacturers, Inc.*, 2010 Ark. App. 366, 376 S.W.3d 450 (2010)

Prior to joining Quattlebaum, Grooms & Tull PLLC in 2003, Mr. Cate served as a law clerk to the Honorable G. Thomas Eisele of the United States District Court for the Eastern District of Arkansas.

Mr. Cate graduated *summa cum laude* from the University of Arkansas School of Law, where he finished second in his class and served as Editor in Chief of the *Arkansas Law Review*. Prior to law school, he graduated *cum laude* from Vanderbilt University with a Bachelor of Arts in political science. While attending Vanderbilt, Mr. Cate interned and later worked part-time for the Tennessee General Assembly's Senate Judiciary Committee, where he drafted and assessed legislation.

A native of Fayetteville, Arkansas, Mr. Cate maintains an amateur archive of University of Arkansas football and basketball television broadcasts and films. His collection dates to 1940, and he contributed footage to the Arkansas Razorback Sports Network's documentary *22 Straight: 1963-65*.

Admissions

State of Arkansas, State of Tennessee, United States Court of Appeals for the Sixth and Eighth Circuits, United States District Courts for the Eastern and Western Districts of Arkansas, United States District Courts for the Eastern, Middle, and Western Districts of Tennessee

Education

University of Arkansas School of Law (J.D., *summa cum laude*, 2001)
Editor in Chief, *Arkansas Law Review*, 2000-01
Member, School of Law Board of Advocates, 2000-01
First Place, School of Law Client Counseling Competition, 1999

Vanderbilt University (B.A., *cum laude*, 1998)

Associations and Affiliations

Sustaining Fellow, Arkansas Bar Foundation; Member, Defense Research Institute; Member, Arkansas Association of Defense Counsel; Member, American Bar Association, Arkansas Bar Association, and Washington County Bar Association; Member, W. B. Putman Inn of Court

Publications

Saforo & Associates, Inc. v. Porocel Corp.: The Failure of the Uniform Trade Secrets Act to Clarify the Doubtful and Confused Status of Common Law Trade Secret Principles, 53 Ark. L. Rev. 687 (2000).

Brandon B. Cate & Lindsey C. Pesek, *Opinion In Error: FOI Interpretation Incorrect*, Arkansas Democrat-Gazette, Dec. 11, 2015, at B7.

Brandon Cate, *Restaurants, Guns & Signs*, Northwest Arkansas Business Journal (Apr. 2, 2018).

Community Activities

Mr. Cate serves on the Board of Directors of The Fayetteville Public Education Foundation, Inc., an organization that provides students in Fayetteville with extraordinary educational opportunities by fostering strategic partnerships and invests in innovative programs championed by educators. Mr. Cate and his spouse are also members of the Foundation's campaign steering committee. Mr. Cate also serves as the Secretary of the Board of Directors for Arkansas Law Review, Inc., the nonprofit corporation that publishes the *Arkansas Law Review*. Mr. Cate is also a member of the University of Arkansas School of Law Dean's Circle.