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Practice Areas:

Business Litigation
Consumer Financial Litigation & Compliance
Financial Institutions
Real Estate

Education:

Lewis and Clark Law School, J.D. 2009
University of Texas, Austin, B.A. 2004 (cum laude)

Admitted to Practice:

State Bar of Texas, 2010
State Bar of Oregon, 2009
United States District Courts for the Northern, Eastern, Southern and Western Districts
United States Fifth Circuit Court of Appeals

Rachel Hytken

Practice Description

Rachel is a dedicated advocate with a strong focus on commercial and real estate litigation across diverse industries throughout Texas. She is committed to crafting effective, tailored legal strategies that address each client's unique challenges. Drawing on her proven success in courtrooms, negotiations, and appellate matters, Rachel represents businesses, corporations, and financial institutions in commercial disputes involving breach of contract, fraud, title issues, creditors' rights, and loan-related conflicts—often with millions of dollars at stake. Her work also extends to commercial leases, surface estate mining leases, and title insurance coverage issues. She brings a deep command of civil procedure and a thorough understanding of the Texas Business Organizations Code, Business and Commerce Code, and Property Code. She has successfully litigated numerous dispositive motions and tried multiple cases to verdict at both the trial and appellate levels.

What sets Rachel apart is her client-first philosophy. She takes time to understand each client's business and goals, fostering strong, meaningful relationships built on trust and collaboration. Her commitment goes beyond legal outcomes — she genuinely cares about the people and organizations she represents.

Representative Experience

Represented property owners and lienholders in matters involving specific performance of real estate contracts, alleged title defects, title disputes, and easement issues.

Represented national financial institutions in various litigation matters arising from residential mortgages.

Represented title companies in cases involving title coverage questions.

Represented individual and corporate parties in various wire fraud litigations.

Represented commercial companies in equipment lease disputes.

Represented tenants in commercial and industrial lease disputes.

Represented landlords in commercial lease disputes.

Represented gravel companies in gravel lease disputes.

Clerked at a federal government agency charged with supplying hydroelectric power to the Northwest. Worked on issues involving labor disputes, intergovernmental conflict, and a variety of tort issues.

Publications, Seminars, and Cases

- “The Fair Credit Reporting Act – Implications for Financial Institutions” – Client Presentation May 20, 2025.
- *Frost Bank v. Richard Sidney Kelley, Jr. and Tamra Kelley*, 02-23-00314-cv (Tex. App. –Ft. Worth Oct. 17, 2024).
- *Ovation Services, LLC v. Jerri Lynn Bowen, et al.*, 12-23-00098-CV (Tex. App. –Tyler Apr. 12, 2023).
- *Thompson v. Cleveland*, 05-22-01323-cv (Tex. App. –Dallas Dec. 12, 2022).
- *Young Family Revocable Trust v. Young, et al.* (Tex. App.—Texarkana July 27, 2022).
- “Exploring Your Options”: Understanding Option Contracts – 2022 State Bar of Texas Annual Meeting.
- *Pope v. Daniels dba PMB Distributing*, Case No. D-1-GN-21-007202, affirmed *Daniels dba PMB Distributing v. Pope*, 03-22-00399-CV (Tex. App. –Austin July 5, 2022).
- *Young v. Select Portfolio Servicing, Inc., et al.*, 20-11236 (5th Cir. Dec. 15, 2021).
- “Electronic Discovery: To What Extent do the 2006 Amendments Satisfy Their Purposes?” 12 Lewis & Clark Law Review 599, 2008.

Awards & Honors

Scholar List

Law Review

SuperLawyers: “Texas Rising Stars” (Texas Monthly magazine 2019)

Chair Elect, State Bar of Texas, Consumer & Commercial Law Council

Treasurer, State Bar of Texas, Consumer & Commercial Law Council

Member, Attorneys Servicing the Community

Committee Member, SPCA of Texas

Member, Dallas Bar Association