



Justin A. Nelson Partner

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Overview

Justin Nelson is the go-to lawyer for high-stakes litigation. Justin's practice centers on taking cases to trial, arguing key motions leading up to trial or the appeal, and positioning the case for victory. He brings an unparalleled combination of trial and appellate excellence.

“Justin is an amazing lawyer. He has it all. In court he’s a sight to behold. His command of the law and facts is masterful.”

Anthony C. Lame, CEO of Green Mountain Glass

Justin was lead counsel for Green Mountain when it obtained a [\\$64.5 million judgment](#) against Ardagh in the Federal District Court of Delaware—a verdict upheld on appeal and was included on *National Law Journal's* Top 100 Verdicts of the Year list.

“Justin is a giant slayer. He wins. It is so impressive to watch him in action. Smart, dedicated. He fights hard for you and he does it with a smile. He’s exactly what you want from a lawyer.”

Ruben Bonet, CEO of Fractus

Justin won a \$38 million judgment for repeat client, Fractus, (a case that later settled on appeal) and has led a strategy that has resulted in Fractus recovering over \$100 million.

High Profile Litigation

In 2020, Justin represented various governmental actors regarding the 2020 election. His clients included entities with both Republican and Democratic control. Among his clients, Justin represented the Arizona Secretary of State in *Bowyer v. Ducey* and argued the successful motion to dismiss regarding the false allegations of election fraud. Justin also successfully represented the Governor of Wisconsin in a series of litigations related to the 2020 election.

Justin is co-lead counsel for Dominion Voting Systems in its defamation lawsuits seeking accountability for those who have made false claims that Dominion rigged the 2020 Presidential Election.

Recognition

The legal industry has taken note of Justin's litigation talents. In 2010, *American Lawyer* [wrote about](#) how

Justin fought off efforts from large banks to ram through a plan that would have disadvantaged individuals in the multi-billion Washington Mutual bankruptcy. He's also repeatedly been named a "Super Lawyer" by Thomson Reuters, among other recognitions.

Background & Commitment to the Legal Industry

Justin is a former law clerk to Justice Sandra Day O'Connor at the United States Supreme Court and for Judge J. Harvie Wilkinson, United States Court of Appeals for the Fourth Circuit. Justin has represented various parties as amici in the Supreme Court of the United States, in cases ranging from intellectual property to antitrust to election law. He has practiced First Amendment law on behalf of various media companies.

Justin also has taught Advanced Constitutional Law on the Law of the Political Process and has served as the Chair of the Economics of the Profession Committee in the American Bar Association's Intellectual Property Division. He is a Fellow of the American Bar Association and the Texas Bar Association. Justin also currently teaches *Legislation & Statutory Interpretation* as an adjunct professor at The University of Texas School of Law, a class that covers a wide range of issues from public policy to statutes to criminal law to Constitutional law and the First Amendment. Justin was also the 2018 Democratic Nominee for Texas Attorney General against Ken Paxton.

In addition to his legal writings, Justin's article on Lyndon Johnson's role at the 1968 Democratic Convention appeared in the *Presidential Studies Quarterly*.

Justin has previously served as a member of Susman Godfrey's Executive Committee.

Education

- Yale University (B.A., cum laude, 1997)
- Columbia University (J.D. 2000)

Clerkship

Law Clerk to the Honorable Sandra Day O'Connor, Supreme Court of the United States, 2002-2003

Law Clerk to the Honorable J. Harvie Wilkinson III, United States Court of Appeals for the 4th Circuit, 2000-2001

Honors and Distinctions

- *Lawdragon* 500 Leading Litigator ([2022](#))
- Super Lawyers (2013-2020, Thomson Reuters)
- [Litigation Star](#), Benchmark Litigation ([2022](#), [2023](#) Euromoney)
- Recommended Lawyer, Dispute Resolution: General Commercial Disputes, The Legal 500 ([2018](#), [2019](#))
- Recommended Lawyer, IAM Patent 1000
- John Ordranax Prize for Highest Academic Average in Graduating Class
- James Kent Scholar, 1997-98, 1998-99, 1999-2000
- Articles Editor, Columbia Law Review (1999-2000)
- *American Lawyer's* [Litigator of the Week](#) in 2010 for his work related to the Washington Mutual litigation.

Notable Representations

Election Litigation. Working pro bono on election-related litigation, Justin successfully represented various governmental actors in a non-partisan capacity during the 2020 election. His clients included those controlled by Republicans and Democrats. As Susman Godfrey lead counsel, his representations included the Arizona Secretary of State and the Wisconsin Governor in litigation defending the integrity of the 2020 election. These cases generated a significant amount of attention because the rulings—including in a case that Justin argued—made clear that the rule of law would prevail.

Green Mountain Glass LLC and Culchrome LLC v. Saint-Gobain Containers, Inc., d.b.a Verallia North America. Served as lead counsel to Green Mountain Glass LLC in a patent infringement matter that spanned three years. A federal jury in Wilmington, Delaware awarded Green Mountain Glass more than \$50.3 million in its lawsuit against Ardagh Glass, Inc. The jury found Ardagh, formerly known as Saint-Gobain Containers, willfully infringed Green Mountain's patent No. 5,718,737 for technology that allows glass manufacturers to use recycled glass of mixed colors. Click [here](#) for more on the case or click [here](#) to read *Law360's* feature on the case in their "How They Won It" series.

Equity Committee of Washington Mutual. Representing the Equity Committee, Justin helped the equity holders in Washington Mutual receive stock in the re-emerged company and a substantial role in the Liquidation Trust. In confirming the plan, the bankruptcy judge stated: "*I think the equity committee has really, really done a great job in getting a recovery for its constituents.*" *American Lawyer* awarded Justin "[Litigator of the Week](#)" for his work on the case.

Fractus v. Samsung et al. Served as co-lead counsel in a patent case involving antennas for mobile phones. In addition to running the case on a daily basis and examining key witnesses, Justin argued case-dispositive matters such as Markman and summary judgment. Before trial, Fractus reached licenses with all the original Defendants except for Samsung. These licenses resulted in agreements worth over \$100 million in total. During trial against Samsung, Justin presented and cross-examined key witnesses such as one of the inventors of the patents-in-suit; Fractus's technical expert; Samsung's lead engineer; and Samsung's damages expert. The trial resulted in a \$23 million jury verdict for his client Fractus against Samsung, and a \$38 million judgment. The case was settled after Justin's appellate argument.

In re Stewart. Represented a family member who had been excluded from a large estate. Justin prevailed against the Estate's Motion to Dismiss and invalidated the in terrorem clauses in the will and trust. In addition, he successfully argued that the trial court that Arizona should recognize a claim of tortious interference with inheritance, becoming the first court in the state to do so. Soon after the court ruled in favor of Justin's client, the case settled.

Articles

- Author: "The Supply and Demand of Campaign Finance Reform," 100 *Columbia Law Review* 524 (2000)
- "Drafting Lyndon Johnson: The President's Secret Role in the 1968 Democratic Convention," 30 *Presidential Studies Quarterly* 688 (2000)
- "Discrimination with a Difference: Can Employment Discrimination Law Accommodate the Americans with Disabilities Act?" 79 *N.C. L. Rev.* 307 (2001) (co-author Samuel Issacharoff).