# 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. In 2024, he was nominated for Litigator of the Year by the *American Lawyer*.

Justin represented Dominion Voting Systems in its litigation against Fox, culminating in April 2023 with a $787.5 million settlement—an amount that represented "vindication and accountability," as Justin stated. Watch the video here.

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*"Justin Nelson has always had a reputation as a 'go to' lawyer in high stakes litigation but his major win in the defamation claim against Fox News has just elevated the 'go to' to 'must have.'"*
***LawFuel,** "*Who is Justin Nelson – The Star Lawyer Who Took Fox News To Task*"*

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*"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**

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*"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**

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*"Since Justin Nelson began appearing, the court "has granted Nelson almost everything he has asked for."*
The *American Lawyer*, click here for the full article

The Court in *Dominion v. Fox* publicly noted at the time of the settlement that "this is the best lawyering I've had, ever." Justin took the deposition of Rupert Murdoch, among other key witnesses. A CNN legal commentator stated about that deposition: "I've never seen anything like these admissions. This is one of the most damaging depositions I've ever seen in my thirty years practicing law."

Justin is one of the foremost leaders and experts in AI litigation. He was selected by the Court to serve as Interim Lead Class Counsel in MDL suits versus OpenAI and Microsoft, *In re: Open AI Copyright Infringement Litigation*. Read more. In addition, Justin represents book authors in a proposed class action against Anthropic that alleges Anthropic committed copyright infringement in its artificial intelligence systems. Justin has a number of other cases regarding artificial intelligence, including other copyright matters along with patent litigation. Justin also serves as an American Law Institute panel member on Civil Liability for Artificial Intelligence and speaks regularly on AI-related issues

Justin's practice spans across other complex cases as well, from antitrust to bankruptcy to contractual disputes to fraud to patent litigation to trade secret theft.

Among other cases, 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 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**

*Dominion v. Fox* was one of a number of high-profile cases for Mr. Nelson. In Dominion v. Fox, the summary judgment briefing in the case earned widespread praise from the legal community and the broader public alike. Justin also represented a number of plaintiffs against a major car rental company that resulted in victories in court and ultimately a settlement.

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 also represented a number of plaintiffs against a major car company that allegedly falsely reported its clients to the police for car theft. That case resulted in a combined nine-figure settlement across the hundreds of plaintiffs who had been injured by the false reports. The artificial intelligence cases and the ERC cases also have generated substantial attention given their intersection of law and policy—an area where Justin often litigates.

**RECOGNITION**

The legal industry has taken note of Justin's litigation talents. In June 2024, he was named one of Hollywood's Top 100 Lawyers by the *Hollywood Reporter*.  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 is one of the very few lawyers who have both clerked for the United States Supreme Court and also served as lead trial counsel in a verdict of over $50 million.

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.

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 is a member of Susman Godfrey's Executive Committee.

*Notable Representations*

**Representative Matters**

- ***In re: Open AI Copyright Infringement Litigation.*** Selected by the Court to serve as Interim Lead Class Counsel in MDL suits versus OpenAI and Microsoft. The case is in early stages.

- ***Dominion v. Fox***. Justin represented Dominion in the Dominion v. Fox litigation, a case that received widespread attention and resulted in a historic $787.5 million settlement.

- **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.

## Honors & Distinctions

- *Lawdragon* 500 Leading Lawyer (2024, 2025)
- IAM Patent 1000: Worlds Leading Patent Professionals (2023, 2024)-
- *American Lawyer's* Litigator of the Week in 2023 for his work related to *Dominion v. Fox* and in 2010 for his work related to the Washington Mutual litigation.
- Litigation Star, Benchmark Litigation (2022, 2023, 2024, 2025 Euromoney)
- *Lawdragon* 500 Leading Plaintiff Financial Lawyer (2023, 2024, 2025)
- *Lawdragon* 500 Leading Litigator (2022, 2023, 2024)
- Recommended Lawyer, Dispute Resolution: General Commercial Disputes, The Legal 500 (2018, 2019)
- Recommended Lawyer, IAM Patent 1000
- John Ordronaux Prize for Highest Academic Average in Graduating Class
- James Kent Scholar, 1997-98, 1998-99, 1999-2000
- Articles Editor, Columbia Law Review (1999-2000)

## Clerkships

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

Honorable J. Harvie Wilkinson III, United States Court of Appeals for the Fourth Circuit, 2000-2001

## Education

**Yale University** (B.A., cum laude, 1997)

**Columbia Law School** (J.D., , 2000)