

## Nathaniel (Nate) H. Nesbitt

Senior Associate

Denver

### Biography

Nate Nesbitt is a litigator based in Denver. He helps clients understand and manage risk, solve problems, and win in court.

Nate's practice focuses on complex civil litigation and government investigations. He represents individuals and institutional clients across a range of industries, including the energy, health care, automotive, pharmaceutical, financial services, and food industries.

His practice includes defending class actions for leading automotive manufacturers, counseling pharmaceutical and healthcare companies on product liability and fraud issues, and helping organizations in various industries navigate both internal and government investigations. Nate also represents individuals in civil and criminal matters, including civil and human rights cases and post-conviction appeals.

Prior to joining Hogan Lovells, Nate clerked for the Honorable John R. Tunheim of the U.S. District Court for the District of Minnesota. In law school, Nate was an articles editor of the *Minnesota Law Review* and a legal writing instructor. Prior to law school, Nate managed a ski shop in Breckenridge, Colorado, and worked as a paralegal on sovereign debt litigation.

### Representative experience

Briefed, argued, and won appeal to the U.S. Court of Appeals for the Federal Circuit involving claims under the Indian Self Determination Act.



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### Languages

English  
Spanish

### Practices

Commercial

Investigations, White Collar, and  
Fraud

Litigation Services

Financial Services

Antitrust and Competition

Business and Human Rights

Environment and Natural Resources

Real Estate

Commercial Litigation

Banking and Finance Litigation

Briefed, argued, and won appeal to the U.S. Court of Appeals for the D.C. Circuit involving ineffective-assistance claim in international drug-trafficking and narco-terrorism case.

Briefed, argued, and won summary judgment opposition in a federal race discrimination case.

Successfully briefed post-conviction appeal of a jury verdict rendered pursuant to an unconstitutional jury instruction.

Assisted national product liability counsel for a major pharmaceutical company in successfully defending various claims related to a voluntary market withdrawal.

Assisted national product liability counsel to one of the largest providers of allografts in the country.

Represented natural gas exploration and production company in one of the nation's first hydraulic fracturing cases.

Represent victims of trafficking and forced labor in civil actions under the Trafficking Victims Protection Act.

Counseled a federally recognized Indian tribe on ISDA funding issues.

Represented commercial real estate developer in a dispute regarding the development of property in downtown Denver.

## Awards and rankings

- Commercial Litigation, Ones to Watch, *The Best Lawyers in America*, 2021

## Latest thinking and events

- Published Works
  - Criminalizing Cartels: A Global Trend? *Research Handbook on Comparative Competition Law*
- Hogan Lovells Publications
  - USA: Supreme Court Reins in the Jurisdictional Reach of U.S. Courts over Foreign and Out-of-State Corporations *Class Actions Bulletin*

Products Law

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## Industries

Automotive

Consumer

Energy and Natural Resources

Financial Institutions

Diversified Industrials

Life Sciences and Health Care

Real Estate

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## Areas of focus

False Claims Act and Qui Tam

Class Actions and Group Litigation

Product Litigation

Oil and Gas: Liquefied Natural Gas (LNG)

Oil and Gas: Exploration and Production

Hospitals and Health Care Providers

Pharmaceuticals and Biotechnology

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## Education and admissions

### Education

J.D., University of Minnesota Law School, magna cum laude, Order of the Coif, 2011

B.A., New York University, summa cum laude, Phi Beta Kappa, 2005

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## Memberships

Member, American Bar Association

- Published Works
  - The Role of the United States Supreme Court in Interpreting and Developing Humanitarian Law *95 Minn. L. Rev. 1339*
- Published Works
  - The Role of the Committee on the Rights of the Child in Interpreting and Developing Humanitarian Law *24 Harv. Hum. Rts. J. 115*
- Published Works
  - Meeting Boumediene's Challenge: The Emergence of an Effective Habeas Jurisprudence and Obsolescence of New Detention Legislation *95 Minn. L. Rev. 244*
- Published Works
  - Do Norms Reduce Torture? *38 J. Legal Stud. 445*

Member, Colorado Bar Association

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## Bar admissions and qualifications

Colorado

District of Columbia

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## Court admissions

Supreme Court of Colorado

District of Columbia Court of Appeals

U.S. Court of Appeals for the Federal Circuit

U.S. Court of Appeals, District of Columbia Circuit

U.S. District Court, District of Colorado

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