

## Nicholas S. Davis

### Senior Associate

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Nick Davis is a senior associate at Alston & Bird. He thrives in disputes involving the most complicated of transactions and has a knack for resolving his cases—whether through pre-trial motions, settlement, or trial and appeal—efficiently and effectively. Nick began his career in New York, where he litigated cases involving the 2008 financial crisis, the Madoff securities fraud, and large insurance coverage cases. Since returning to Texas, he has gained experience in oil and gas litigation, including title disputes.

Nick has been recognized for his work in oil and gas litigation. He was named a “Top Attorney (Oil and Gas)” by *Fort Worth, Texas* magazine in 2019.

During law school at Duke University, Nick was a member of the *Duke Law Journal* editorial board and served on the mock trial board. He earned his B.A., with honors, from the University of Texas at Austin.

#### **Representative Experience**

##### **Oil and Gas**

- Represented a large international oil company against a Big Oil supermajor in an arbitration regarding a joint operating agreement.
- Obtained summary judgment for the defendant oil company in a \$50 million-dollar dispute over an oil and gas lease in the Permian Basin.
- Represented an E&P company in a dispute over the termination of a gas gathering and processing agreement.
- Obtained a favorable settlement for the plaintiffs in a fraud litigation matter related to property in the Permian Basin.
- Represented the plaintiff, an international energy company, in an ICDR arbitration regarding breach of contract and fraud claims.
- Representing oil and gas companies in lease termination disputes located in the Permian Basin.

##### **Securities and Investment Fraud**

- Obtained dismissal on behalf of the defendant from an action related to the Platinum Partners fraud in the Southern District of New York.
- Represented the managers of feeder funds in state and federal litigation, including derivative litigation, consolidated class action litigation, direct litigation by a fund, and clawback proceedings in bankruptcy and federal courts, all resulting from the Ponzi scheme perpetrated by Bernard L. Madoff Investment Securities LLC.
- Represented a large private equity firm in a multibillion-dollar securities class action resulting from its IPO.
- Represented large banks in multiple mortgage-backed securities cases.

## ***Trade Secrets***

- Represented a commercial real estate broker in a trade secret misappropriation case opposite a former employee and the employee's new company; aided in obtaining an anti-competitive temporary injunction with a favorable settlement and no non-compete.
- Represented a real estate software company in trade secret misappropriation litigation brought against former employees.
- Represented members of a company that provided services to a major state transportation agency in a breach of fiduciary duty and trade secret theft case.

## ***Class Actions***

- Representing a food manufacturer in a class action regarding false advertising.
- Represented investment funds against a major monoline insurer of mortgage-backed securities in a fraudulent conveyance class-action suit over the insurer's transformation transactions.

## ***Complex Commercial Investigations and Litigation***

- Assisted in obtaining a favorable settlement for the co-founder of a technology company in the breach of fiduciary duty arbitration.
- Represented the principal in a multimillion-dollar breach of fiduciary duty action.
- Represented a medical device supplier in indemnification claims against a co-defendant in multidistrict products liability litigation.
- Represented private equity firms in multiple nationwide contested proceedings to protect the confidentiality of investment information.
- Represented insurers in large coverage disputes involving asbestos liabilities, false-winning jackpots, and copyright infringement
- Represented clients in internal investigations and investigations by federal and state agencies

## ***Publications & Presentations***

### ***Publications***

- "Caveat Lessor," *Oil and Gas Investor*, July 2019.
- "Don't Let the Suspense Get to You," *Landman Magazine*, March/April 2018.

### ***Professional & Community Engagement***

- American Bar Association
- Dallas Association of Young Lawyers (2016—2020)
- Big Brothers Big Sisters of New York City (2012—2015)

### ***Education***

- Duke University (, 2011)
- University of Texas (B.A., 2008)

### ***Admitted to Practice***

- Texas

- New York

## *Related Services*

Litigation | Class Action & Multidistrict Litigation | Commercial | Securities Litigation | Environment, Land Use & Natural Resources | Oil & Natural Gas | Trade Secrets