



Newman Nahas

Of Counsel

Dallas
+1 214-453-6496

Newman is a litigator who has handled all stages of the litigation process, with a focus on critical motions and appeals. He also concentrates on the resolution of disputes outside of the litigation process and has counseled a variety of clients on a wide range of strategic, regulatory, and compliance issues.

Newman is a litigator in the firm's Appellate & Critical Motions Practice. He is known for the clarity of his written and oral advocacy, for catching issues others miss, and for exceptionally creative thinking. Accordingly, he has been called on to argue unusually difficult appeals in a variety of state and federal courts, and has developed a reputation for successfully reversing trial courts against long odds. Newman has also had significant trial-level experience across the country. He has led motions-intensive litigation, tried complex commercial disputes to verdict, and has served in an appellate-lawyer-at-trial capacity. Newman's appellate and trial experience has ranged over contract, tort, intellectual property, securities, and antitrust matters across various industries and jurisdictions. Clients often return to Newman for their non-litigation needs as well, seeking the same creativity and nuance as they navigate complex regulatory thickets or develop forward-looking compliance strategies.

Key Matters

Some of the experience represented below may have been handled at a previous firm.

- Represented an energy company in an appeal before a Texas state court; obtained reversal of an entry of judgment of \$75 million.
- Represented an out-of-state telecommunications company in an appeal before a Texas state court; obtained reversal of the trial court's denial of a special appearance.
- Represented a Swedish manufacturer in an appeal before a Texas state court; obtained reversal of the trial court's denial of a special appearance.
- Represented a telecommunications company on appeal before the Fifth Circuit; obtained reversal of the trial court's denial of a motion to dismiss raising issues of causation in the context of product liability with critical industry-wide importance.
- Represented a telecommunications company on appeal before the Fifth Circuit; obtained affirmance of the trial court's ruling on a motion to dismiss creating precedent that brought an end to a substantial wave of litigation.
- Represented a California energy company on appeal before a California state court of appeals; obtained a writ of mandate that resolved a question of first impression concerning the application of the Full Faith and Credit Clause.
- Represented a windows business in a two-week trial in a Texas state court involving claims of breach of contract alleging more than \$100 million; obtained directed verdict on all counterclaims.
- Represented a credit card network in one of the largest antitrust matters in history, resulting in a \$2.85 billion settlement for the client.
- Defended a major financial services institution in a securities class action involving allegations of accounting fraud and seeking over \$10 billion in damages.
- Represented a large health insurer in a putative class action purporting to encompass all members and providers concerning the payment of out-of-network benefits.
- Represented the largest domestic distributor of premium beef in a bench trial involving allegations of breach of contract and breach of fiduciary duty.
- Represented an educational institution in a post-verdict briefing raising novel questions concerning the *Basic* presumption of reliance.
- Represented a large oil company in an appeal before the Ninth Circuit raising issues of international comity, prudential exhaustion and forum non conveniens.
- Represented a small toy manufacturer in petitioning the U.S. Supreme Court for a review of questions involving trademark law.
- Served as trial and appellate counsel for a major wireless telecommunications provider in federal court on an issue of first impression regarding 911 services liability. Obtained dismissal at the trial level and affirmance before the Fifth Circuit on the basis that the client was entitled to 911 service provider immunity.
- Represented a Fortune 100 tech company in a two-month jury trial raising patent and contract issues.
- Won a challenge to personal jurisdiction in Texas state court on behalf of an Australian power company, resulting in dismissal and voiding of a default judgment that awarded relief equivalent to approximately \$200 million.
- Represented pro bono a class of indigent Maryland citizens in an action to secure the timely resolution of their benefits applications.
- Represented an elected official in a merits briefing before the U.S. Supreme Court concerning questions involving the First Amendment.

Recognitions

- Law360 Legal Lion
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Credentials

EDUCATION

Newman received his B.A. from the University of Florida in 2000, where he graduated first in his class. He was awarded a Rhodes Scholarship to study at Oxford University, where he earned an M.Phil. in philosophy and religion. He graduated from Harvard Law School in 2007, where he was also a teaching fellow.

ADMISSIONS

- California
- Texas

Capabilities

Appellate & Critical Motions	Litigation/Trials	Commercial Litigation & Disputes
Intellectual Property	Securities, M&A & Corporate Governance Litigation	
Antitrust/Competition	Technology, Media & Telecommunications	Energy
Infrastructure		