



## JASON C. MURRAY

PARTNER

1801 Wewatta Street, Suite 1200, Denver, CO 80202  
303.592.3118  
jason.murray@bartlitbeck.com

Jason Murray is a trial lawyer who handles a diverse array of high-stakes litigation matters, including antitrust, products liability, breach of contract, and intellectual property disputes. For example, Jason recently served as lead counsel for Arconic in a 250-plaintiff wrongful death and products liability action arising out of the 2017 Grenfell Tower fire in London, obtaining dismissal of the case on *forum non conveniens* grounds and successfully defending the win on appeal in the Third Circuit. Jason also previously tried a ten-week jury trial in New York in a \$1 billion+ antitrust case, served as co-lead trial counsel in a confidential arbitration involving breach of contract claims worth roughly \$50 million, successfully argued an appeal in the Federal Circuit related to patent claims against some of the world's largest automakers, and argued key motions in cases throughout the country.

Jason graduated *magna cum laude* from Harvard Law School. He clerked for Justice Elena Kagan of the United States Supreme Court and for Judge Neil Gorsuch of the Tenth Circuit Court of Appeals.

### EDUCATION & HONORS

Harvard Law School, 2011, J.D., *magna cum laude*

2010 HLS Sears Prize Winner

HLS Ames Moot Court Competition Winner

Best Brief Award for Ames Moot Court Finals and Semifinals

Harvard University, 2008, B.A., *cum laude*

Charles Bonaparte Scholarship for Highest GPA in Government Department

*Phi Beta Kappa*

President, Harvard Debate Team

### CLERKSHIPS

Honorable Elena Kagan, Justice, United States Supreme Court, 2013-2014

Honorable Neil Gorsuch, United States Court of Appeals for the Tenth Circuit, 2011-2012

## AWARDS & RECOGNITION

Recognized as a member of Benchmark Litigation's "40 & Under Hotlist" (2022)

## ADMISSIONS

Colorado

## REPRESENTATIVE MATTERS

### ***Behrens et. al. v. Arconic, Inc. et al*** (E.D. Pa., CA3)

One of the lead trial attorneys, and lead appellate counsel, for Arconic in a products liability case brought by 247 plaintiffs and their estates seeking damages arising out of the 2017 Grenfell Tower fire in London. Plaintiffs alleged that cladding panels manufactured by Arconic's French subsidiary contributed to the rapid spread of the fire. Successfully removed the case to federal court and then moved to dismiss for *forum non conveniens*. The trial court granted Arconic's motion to dismiss for *forum non conveniens*. Arconic won across the board on appeal in the Third Circuit, as the Court affirmed the trial court's dismissal order and also granted Arconic's cross-appeal of a condition attached to the trial court's dismissal order.

### ***Carrum Technologies v. Ford Motor Company, Carrum Technologies v. BMW of North America, and Carrum Technologies v. Fiat Chrysler US*** (D. Del., Fed. Cir.)

Trial and appellate counsel for Carrum Technologies in patent infringement action against Ford, BMW, and Chrysler related to adaptive cruise control technology. Successfully defeated motions to dismiss and motions to transfer venue to Michigan. Briefed and argued Federal Circuit appeal of PTAB's invalidation of certain key patent claims, resulting in total win on appeal and reinstatement of the claims. Case remains pending in the trial court.

### **Confidential Investment Firm Arbitration**

Co-lead trial counsel for prominent financial firm in breach of contract suit against counterparty who breached key provisions of a purchase agreement. Successfully obtained emergency relief before Tribunal was empaneled. Case remains pending before AAA.

### ***CF Entertainment, Inc. v. The Nielsen Company (US) LLC***

Trial counsel for Nielsen in contract dispute brought by CF Entertainment, a collection of cable networks that is part of comedian and entrepreneur Byron Allen's Allen Media Group. Successfully defeated CF Entertainment's motion for a preliminary injunction. Pending in the Northern District of Illinois.

### ***U.S. Airways v. Sabre*** (S.D.N.Y.)

Trial counsel for Sabre in antitrust action relating to contracts between U.S. Airways (now American Airlines) and Sabre concerning Sabre's Global Distribution System. U.S. Airways sought \$1.4 billion in trebled damages. Won summary judgment on claim for injunctive relief and over 75% of plaintiff's damages claim. Won \$6 million costs/attorneys' fees award. After a ten-week jury trial, won defense verdict on one claim and elimination of 99% of total damages plaintiff had sought on second claim. Also won denial of declaratory and injunctive relief.

The Second Circuit subsequently vacated the jury's liability finding and remanded the case for a new trial.

***Gordon, et al. v. Sabre*** (S.D.N.Y.)

Trial counsel for Sabre in case brought as putative class action by purchasers of airline tickets. Plaintiffs claimed Sabre conspired with its competitor "global distribution services" operators, Amadeus and Travelport, to require certain terms in their contracts with airlines, which allegedly caused plaintiffs to overpay for their airline tickets. Won a motion to dismiss 100% of plaintiffs' claimed damages. Class certification denied. Case settled on confidential terms after court granted motion to disqualify class counsel from representing the plaintiffs in litigating their individual (non-class) claims for injunctive relief.

***Align v. 3Shape*** (D. Del. 2020-2022)

Counsel for Align Technology, Inc. in patent litigation against 3Shape A/S related to intra-oral scanning technology. The parties entered into a global settlement in early 2022.

***Foreign Trade Corp., d/b/a Technocel v. Otter Products, LLC, et al; Otter Products, LLC v. H.L. Dalis, Inc.; Otter Products, LLC v. Wireless Xcessories Group, Inc.***, (D. Colo.)

Trial counsel for OtterBox in breach of contract action brought by former distributors alleging wrongful termination of distribution agreement and seeking approximately \$100 million in damages. Case settled favorably after hearings on OtterBox's motion to exclude plaintiffs' damages expert reports.

***Microsoft/Yahoo Contractual Counseling***

Advised Microsoft relating to its Search Alliance with Yahoo!. The parties successfully restructured the Alliance at its five-year anniversary.

***Confidential AAA Arbitration*** (AAA Minn.)

Trial counsel for major accounting firm against a hotel entrepreneur and his family seeking over \$65 million in damages. Plaintiffs allege accountants provided negligent advice concerning the sale of company stock to an ESOP. Case settled favorably during trial.

***State Compensation Insurance Fund v. Khan et. al.*** (C.D. Cal.)

Trial counsel for defendants, a group of medical service providers, in RICO action brought by State Compensation Insurance Fund. Plaintiff alleged that defendants submitted fraudulent medical bills and sought over \$25 million in damages. Secured dismissal of all claims against defendants on summary judgment, and successfully obtained a court order recovering millions of dollars in attorneys' fees. Ninth Circuit affirmed.

***In re Genetically Modified Rice Litigation*** (8th Cir.)

Counsel for Bayer in appeal seeking reversal of district court order that Bayer pay a portion of plaintiff's attorneys' fees.

## **PRO BONO MATTERS**

***Finch v. Rapp*** (10<sup>th</sup> Cir.)

Pro bono appellate counsel for estate of innocent man who was shot and killed by police in a "swatting" incident in 2017. Successfully defended the trial court's denial of qualified immunity on appeal in the Tenth Circuit.

***Confidential Immigration Court Proceeding*** (Aurora, CO)

Represented asylum seeker fleeing persecution and death threats by drug cartel in Guatemala. After day-long trial in immigration court, judge granted asylum request.

***Johnson-Hess v. United States*** (D. Colo.)

Pro bono counsel for the estate of a mentally ill inmate who committed suicide while in solitary confinement in the federal maximum security prison in Florence, Colorado. Brought suit against the United States and various prison officials, alleging negligence and Eighth Amendment violations relating to deficient mental health care and cruel conditions of confinement. Obtained favorable six-figure settlement.

## **NEWS**

Bartlit Beck Lawyers Named to Benchmark Litigation's 40 & Under Hot List 2022

07.27.2022

Bartlit Beck Wins Dismissal of Mass Action Against Arconic Related to Grenfell Tower Fire

09.18.2020

Second Circuit Rules in favor of Bartlit Beck Client Sabre Holdings Corp. in Antitrust Case

09.17.2019