



NICO MARTINEZ

PARTNER

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Nico Martinez is an experienced litigator who tries complex, high-stakes cases in courtrooms across the country. Nico has tried more than half-a-dozen cases since joining Bartlit Beck. He has contributed to Bartlit Beck's major trial successes for PricewaterhouseCoopers and UnitedHealthcare, and he helped secure a complete defense verdict in an \$800 million breach of contract case against shareholders of a privately held oil and gas company.

As part of his active pro bono practice, Nico obtained a historic trial victory as co-lead counsel for a group of Black voters challenging Georgia's statewide method of electing members of its powerful Public Service Commission. Nico then led the effort in the U.S. Supreme Court to preserve that victory for the ensuing election cycle, a "rare" feat that attracted headlines nationwide.

Nico is an Adjunct Professor of Law and Co-Director of the Federal Appellate Clinic at Northwestern University Pritzker School of Law. Nico graduated from Stanford Law School, where he was a senior editor of the *Stanford Law Review* and member of the Stanford Supreme Court Litigation Clinic team that represented Edith Windsor in her successful challenge to the federal Defense of Marriage Act.

EDUCATION & HONORS

Stanford Law School, 2013, J.D.

Stanford Law Review

Supreme Court Litigation Clinic

Pro Bono Distinction

Stanford University, 2007, B.A. in Political Science, with Honors and Distinction

Phi Beta Kappa

Varsity Tennis

CLERKSHIPS

Honorable Mariano-Florentino Cuéllar, Supreme Court of California, 2015-2016

Honorable Lucy H. Koh, United States District Court for the Northern District of California, 2014-2015

Honorable John T. Noonan, Jr., United States Court of Appeals for the Ninth Circuit, 2013-2014

GOVERNMENT SERVICE

Legislative Correspondent, Honorable Harry M. Reid, United States Senate, 2007-2008

AWARDS & RECOGNITION

Recognized as a member of Benchmark Litigation's "40 & Under Hotlist" (2021-2022)

Lawdragon 500 Leading Litigators in America 2022

ADMISSIONS

California

Illinois

United States Supreme Court

United States Court of Appeals for the Seventh Circuit

United States Court of Appeals for the Ninth Circuit

United States Court of Appeals for the Eleventh Circuit

United States District Court for the Northern District of Illinois

REPRESENTATIVE MATTERS

Allianz Structured Alpha Funds Litigation (S.D.N.Y. 2020-22)

Lead counsel for several major institutional investors who collectively lost billions of dollars when the Structured Alpha hedge funds managed by Allianz Global Investors U.S. collapsed in March 2020. Bartlit Beck also served as co-liaison counsel for a group of twenty plaintiffs for purposes of coordinating discovery with Allianz. The cases filed by our clients were settled on confidential terms.

CASES TRIED

Rose et al. v. Raffensperger (N.D. Ga. 2020-22)

Co-lead trial counsel for plaintiffs in a voting rights lawsuit that successfully challenged the at-large, statewide method of electing members of Georgia's Public Service Commission, the entity that regulates utility services in the State. Following a week-long bench trial, where Nico delivered the opening statement and cross-examined

the State's only expert, a federal judge ruled that the State's method violated Section 2 of the Voting Rights Act. When a federal appeals court stayed that ruling, Nico convinced a unanimous Supreme Court to overturn the stay, ensuring that the November 2022 Public Service Commission elections would not take place using an at-large method that unlawfully dilutes the votes of millions of Black citizens in Georgia.

Sunrise Hospital System v. Sierra Health Services (JAMS 2019)

Trial counsel for UnitedHealthcare's affiliate, Sierra, in an arbitration initiated by HCA Healthcare's affiliate, Sunrise, alleging underpayments for medical services. Case resolved on confidential terms.

Grynberg v. Grynberg (District Court, Arapahoe County, Colorado 2019)

Trial counsel for defendants in bench trial involving equitable claims for unjust enrichment and quantum meruit brought by the founder of a group of privately held oil and gas companies, including claims for compensation for services and assets previously provided to the companies. Plaintiff sought \$400 million in compensation at trial. Won a complete defense verdict, which the Colorado Court of Appeals affirmed in its entirety.

Burroughs v. Cook County Clerk's Office (N.D. Ill. 2019)

Co-lead trial counsel for the defendants in a federal lawsuit brought under the Americans with Disabilities Act. Nico handled jury selection, put on the County Clerk's key witness, and cross-examined the plaintiff's treating physician. The jury returned a full defense verdict after a four-day trial.

Gadeco, LLC v. Grynberg (District Court, Arapahoe County, Colorado 2019)

Trial counsel for defendants in jury trial involving claims for breach of contract and breach of fiduciary duty brought by the founder of a group of privately held oil and gas companies against the shareholders and board members following his removal as President and Chairman. Plaintiff sought injunctive relief and \$800 million in damages at trial. Won a complete defense verdict, which the Colorado Court of Appeals affirmed in its entirety.

FDIC & Colonial BancGroup v. PwC (M.D. Ala. 2017-18)

Defended PwC against Colonial Bank and the FDIC in a suit filed after the collapse of PwC's audit client Colonial Bank. Colonial Bank sought several hundred million dollars in damages. The FDIC sought over \$2 billion in actual damages, plus unspecified punitive damages. Following a bench trial on liability, the court ruled for PwC on the entirety of Colonial Bank's claim. The court ruled against PwC on some of the FDIC's claims and in favor of PwC on others. The court also ruled in favor of PwC on the FDIC's request for punitive damages. Following a bench trial on damages, the court awarded the FDIC \$625 million. Before judgment was entered, and while post-trial motions were pending, the parties settled the case for \$335 million. One member of the FDIC's board of directors publicly dissented from the settlement because it did not contain an acknowledgment of liability by PwC.

PRO BONO CASES

Parker v. Ritz et al. (S.D. Ill. 2021-22)

Trial counsel for Illinois inmate who brought a section 1983 lawsuit based on deliberate indifference to his serious medical needs.

Lieu et al. v. FEC (U.S. Supreme Court 2020)

Counsel of record for campaign finance legal scholars as *amici curiae* supporting petitioners in case that sought to uphold congressional limits on contributions to super PACs.

Fogleman v. Mississippi (U.S. Supreme Court 2020)

Counsel of record for Mississippi inmate who sought certiorari in case presenting the question whether the Sixth Amendment requires a jury to make any factual finding that increases a criminal defendant's mandatory minimum sentence by automatically restricting his eligibility for parole.

Jordan v. Texas (U.S. Supreme Court 2019)

Counsel of record for Texas inmate who sought certiorari in case presenting the question whether the Sixth Amendment demands relief when a criminal defendant swears that he instructed his lawyer to file an appeal, no notice of appeal was timely filed, and the lawyer cannot now remember being asked to do so.

Grant v. Chamberlain et al. (N.D. Ill. 2018-20)

Trial counsel for Illinois inmate who brought a section 1983 lawsuit based on deliberate indifference to his serious medical needs. Case resolved on confidential terms.

Perkins v. Williams et al. (N.D. Ill. 2018)

Trial counsel for Illinois inmate who brought a section 1983 lawsuit based on unconstitutional conditions of confinement. Case resolved on confidential terms.

Thompson v. Vidurria et al. (U.S. Court of Appeals, Ninth Circuit 2017-18)

Appellate counsel for California inmate who brought a section 1983 lawsuit based on deliberate indifference to his serious medical needs. Case resolved on confidential terms.

ACKNOWLEDGEMENTS, PRESENTATIONS, AND PUBLICATIONS

ACKNOWLEDGEMENTS

The American Lawyer Interviews Nico Martinez About Bartlit Beck's Unique Model and Success at Trial

BIG WINS

Bartlit Beck Wins Two Large Trials In Denver

06.15.2019

NEWS

Bartlit Beck Earns Supreme Court Victory

08.22.2022

Bartlit Beck Obtains Voting Rights Act Trial Win

08.09.2022

Bartlit Beck Lawyers Named to Benchmark Litigation's 40 & Under Hot List 2022
07.27.2022

Bartlit Beck Lawyers Selected to Participate in the Leadership Council on Legal Diversity's (LCLD) 2022 Fellow and Pathfinder Programs
02.17.2022

Bartlit Beck Lawyers Named to Benchmark Litigation's 40 & Under Hot List 2021
07.23.2021

Bartlit Beck Sues Allianz and Aon Over Collapse of Structured Alpha Hedge Funds
09.22.2020

Bartlit Beck Files Voter Discrimination Lawsuit in Georgia
07.14.2020

Bartlit Beck Announces Election of Five New Partners
01.09.2020

The American Lawyer Profiles Bartlit Beck's Unique Model and Success at Trial
12.06.2018

PUBLICATIONS

Pinching the President's Prosecutorial Prerogative: Can Congress Use Its Purse Power to Block Khalid Sheikh Mohammed's Transfer to the United States?
64 *Stan. L. Rev.* 1469, 2012

Pulling the Plug on the Virtual Jury: Why Khalid Sheikh Mohammed Should Not Be Tried at Guantanamo by Jurors Sitting in New York City
65 *Stan. L. Rev. Online* 47, 2012

Debt to Society? The Washington State Legislature's Efforts to Restore Voting Rights to Persons with Felony Convictions
22 *Stan. L. & Pol'y Rev.* 329, 2011