



DARREN P. NICHOLSON

Shareholder

Darren is an experienced trial lawyer who represents plaintiffs and defendants in courts across the country. Darren's practice involves a wide variety of matters, from complex commercial litigation and intellectual property disputes to product liability and white-collar criminal defense.

With each client, Darren invests the time and effort to identify their objectives and to tailor a strategy to achieve them - whether trying a case, negotiating a settlement, avoiding litigation, or pursuing another option entirely. Darren's clients highly value the clarity of his advice, and his tenacious advocacy.

Darren began his career in the litigation practice group of Arnold & Porter LLP and joined Sayles Werbner in 2008.

Practice Areas: Business Litigation, Intellectual Property, Patent Litigation, Personal Injury, Product Liability, White Collar Criminal Defense

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REPRESENTATIVE CASES

Complex Business cases:

- *AerReach, et al., v. Stanford, et al.* - Successfully represented plaintiffs in a multi-million dollar business fraud, breach of fiduciary duty, and commercial bribery case against United Technologies Corporation and other defendants
- *Paradigm Air v. Texas Rangers Baseball Partners* - successful summary judgment recovery for client in a hotly contested breach-of-contract case stemming from the Texas Rangers Baseball Partners' bankruptcy
- Obtained a take-nothing judgment and an order sealing the case for client who was wrongfully accused of fraud and tortious interference of a contract
- Numerous favorable settlements on behalf of clients in matters ranging from breach of contract and tortious interference to unfair competition and other business torts

False Claims Act cases:

- *Fisher, et al. v. Ocwen Loan Servicing* - achieved a favorable settlement of a major False Claims Act qui tam case against non-bank mortgage servicer where plaintiffs sought over \$100 million in damages
- Currently representing a multinational bank in False Claims Act case involving mortgage servicer payments under the Home Affordable Modification Program (HAMP) loan modification program

Intellectual Property cases:

- *Commil USA, LLC v. Cisco Systems, Inc.*, 135 S.Ct. 1920 (2015) - favorable U.S. Supreme Court ruling in one of the highest-profile patent infringement cases to reach the high court in years
- *Jenkins & Gilchrist P.C. v. Forgent Networks, et al.* - obtained substantial jury verdict for plaintiff who was awarded 100 percent of requested damages, interest, and attorneys' fees, in a case involving the breach of a patent licensing agreement
- *e-Lynxx Corporation v. Ariba* - obtained significant patent licensing agreements in patent infringement lawsuit and development of licensing program

REPRESENTATIVE CASES (CONTINUED)

Wrongful Death, Products Liability, Mass Tort:

- *Powell, et al. v. Thornton Drilling, et al.* - substantial confidential settlement on the eve of trial for two minor children in a wrongful death case involving a West Texas oil rig
- *Artinger, et al. v. i3 Plastic Cards, et al.* - substantial confidential settlement for a widow and minor child in a wrongful death case involving a workplace electrocution
- *In re Diet Drugs* (Phentermine, Fenfluramine, Dexfenfluramine) Prods. Liab. Litig., No. MDL 1203 - representation of Fortune 500 pharmaceutical company in hundreds product liability cases

Criminal cases:

- *U.S. v. Mahoney* - acquittal on a seven-count indictment for a court-appointed client in Washington, D.C., Superior Court
- *U.S. v. Barry, et al.* - favorable plea bargain - and no jail time - for a real estate agent indicted in a federal case involving mortgage fraud
- No charges brought against multiple individuals involved in federal criminal investigations

HONORS AND AWARDS

- Best Lawyers in Dallas by *D Magazine*, 2017
- Best Lawyers in America, 2018, Best Lawyers
- Fellow, Dallas Bar Foundation 2017
- Texas Super Lawyers 2017, Thomson Reuters
- Texas Super Lawyers Rising Star 2010-2015, Thomson Reuters
- AV Preeminent Rated 2015-2017, Martindale-Hubbell
- Patrick E. Higginbotham Inn of Court, Barrister 2009-2012
- International Academy of Trial Lawyers award for appellate advocacy 2001



PROFESSIONAL BACKGROUND

State Bar of Texas
District of Columbia Bar
U.S. Supreme Court
U.S. Court of Appeals for the District of Columbia Circuit
U.S. Court of Appeals for the Federal Circuit
U.S. Court of Appeals for the Fifth Circuit
U.S. District Court for the District of Columbia
U.S. District Courts for the Northern, Southern, Eastern and Western Districts of Texas
Texas State District Courts
American Bar Association
Dallas Bar Association
DBA Public Forum Committee

EDUCATION

Georgetown University Law Center, J.D., with honors
University of Texas, B.S., mathematics
University of Texas, B.A., psychology

SPEAKING ENGAGEMENTS

"Closing Arguments," Dallas Bar Association Trial Academy, Oct. 2012

"Exclude the Opposing Expert Witness on Qualifications and Reliability," Dallas Bar Association, July 2010

"The Ethics of Lawyer-Judge Interactions," presented to the Higginbotham Inn of Court, March 2010

NEWS

[Courts to decide if Pratt & Whitney was part of \\$500M in fraudulent deals](#)

[Cut from \\$500M deal, ex-Pratt exec sues](#)

[Supreme Court Rules Against Cisco in Patent Case](#)

[A Supreme Honor: Texas Lawyers Talk About Their First Appearance at the U.S. Supreme Court](#)

[Energy Cos. Brace For DOL Crackdown As Worker Deaths Rise](#)

[Jenkins & Gilchrist Wins Millions in Suit Against Former IP Client](#)

[Bell Affiliate Sues to Block Release of Documents](#)