



## Nate Asher

Counsel

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Nate Asher is an experienced litigator who represents financial institutions, airlines, private equity firms, technology companies, pharmaceutical companies, and individuals. Nate litigates securities, antitrust, complex commercial, and bankruptcy matters, and also has experience with government investigations and providing corporate counseling. He has litigated through trial and argued in federal and state court at all stages of litigation. Nate uses a business-minded approach to defend clients against class actions and single-plaintiff lawsuits, helping steer them through disputes and guide them through resolution in or outside the courtroom.

Nate is also passionate about protecting civil liberties and increasing diversity in the legal profession. He devotes time to representations focused on constitutional rights, immigration matters, and prevention of gun violence. Nate represents refugees and immigrants, as well as public policy institutes focusing on civil rights and constitutional law. He has served on the New York State Bar Association Diversity Committee for six years, regularly participates in mock interview programs, is an active member of the New York Lawyers for Public Interest Pro Bono Advisory Council, and is a Fellow of the American Bar Foundation.

Nate approaches each case and client by making it his first priority to gain a clear understanding of his clients' industries and goals. Whether they envision the best outcome as a sweeping victory in court or as an early and quiet resolution, Nate remains focused on responsiveness, clarity, innovation, and efficiency to protect his clients' interests.

### Admissions

#### *Bar Admissions*

New York

#### *Court Admissions*

US District Court, Eastern and Southern District of New York

US Court of Appeals for the Second Circuit

### Education

Fordham University, J.D.: *magna cum laude*; Order of the Coif; Winner of the Peter J. O'Connor Prize; *Fordham Law Review*

Northwestern University, B.A., History

## Experience

- Defending private equity firm in lawsuits relating to securities offerings, going-private transactions, and contract disputes
- Defending airline in antitrust class action alleging industry conspiracy
- Defending foreign company in contract and fraud dispute relating to failed acquisition
- Defending underwriters in lawsuits relating to securities offerings
- Defending pharmaceutical company in products-liability lawsuit
- Advising cryptocurrency exchange on potential litigation
- Co-authoring amicus briefs in U.S. Supreme Court, Second Circuit, and New York Court of Appeals regarding collection of electronic data
- Obtaining dismissal for bank in antitrust class action alleging price-fixing
- Securing legal permanent resident status for individuals
- Obtaining favorable result for airline in trademark and antitrust dispute with travel agency
- Litigating through trial claims relating to reproductive rights, and co-authoring amicus briefs in Fifth and Eighth Circuits challenging state statutes on behalf of biomedical ethicists
- Securing release of asylum seeker held in custody for more than a year without bond hearing
- Obtaining dismissal for bank in lawsuit alleging liability relating to Ponzi scheme
- Winning summary judgment for private equity firm in class action alleging antitrust conspiracy to rig leveraged buyouts
- Obtaining favorable result for bank in lawsuit alleging mortgage-disclosure violations
- Representing debtors and creditors in bankruptcy litigation
- Obtaining dismissal for airline in wrongful death lawsuit
- Defending foreign banks in bankruptcy recovery actions
- Obtaining dismissal for airline in lawsuit relating to frequent flyer miles
- Obtaining favorable result for bank in dispute regarding employee recruitment
- Winning summary judgment for an airport authority in wrongful death lawsuit
- Obtaining favorable result for bank in contract dispute regarding loan servicing
- Representing financial institutions and individuals in responding to government investigations

## Professional Activities

### Clerkships

- Honorable Martin Glenn, US Bankruptcy Court for the Southern District of New York

### Externships

- Honorable John G. Koeltl, US District Court, Southern District of New York

### Author

- “Clarifying Loss Causation: Will *First Solar* Elicit Supreme Court Guidance?” (co-author Seth Aronson) *PLI Current: The Journal of PLI Press*, Vol. 3, No. 2 (Spring 2019)

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- “Ehret v. Uber and California’s Competition and Consumer Remedies Laws,” *Business Torts & RICO News* (Spring 2015)
  - “Supreme Court to Shape Future of Popular Antitrust Enforcement Tool,” *Perspectives in Antitrust* (July 2013)
  - “Whistleblower Suits and Government Documents: The Complicated Question of When the Government’s Duty to Preserve Documents Arises After Service of a Relator’s Qui Tam Complaint,” (co-author Steve Brody) *PLI Ethics in Context: Summer 2013 Handbook*
  - “DOJ’s Opposition to Major Beer Merger Yields Results and Provides Guidance for Future Mergers,” *ABA Young Lawyer Division Antitrust Law Committee Newsletter* (Spring 2013)

### **Community Involvement**

- Member, New York State Bar Association Diversity Committee
- Member, NYLPI Pro Bono Advisory Council
- Fellow of the American Bar Foundation
- Youth League Soccer Coach