

M. CORY NELSON

ATTORNEY AT LAW

THE LAW OFFICE OF M. CORY NELSON
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EXPERIENCE:

MCN Law LLC, Overland Park, Kansas

Owner, September 2021 – present

Solo practice with primary emphasis on providing freelance litigation-oriented legal work to attorneys and firms on a contract basis, including consulting, strategic planning, brief-writing, discovery planning and execution, local counsel work, and other tasks. Secondary emphasis on direct client representation in litigation-related matters on a case-by-case basis.

Lewis Rice LLC, Kansas City, Missouri

Member, February 2017 – August 2021

Litigation Associate, April 2010 – January 2017

Represented clients in a wide array of subject areas in state and federal courts, at the trial and appellate level, and in arbitration. Handled and/or assisted in cases from the most complex to smaller, discreet disputes, though was primarily engaged in more complex, multi-party matters. Intimately involved in every facet of litigation, including strategic planning, brief-writing, written discovery, deposition discovery, expert discovery, dispositive motion practice, trial preparation, trial, and appeal. Representative examples of significant work in various subject areas include:

- ***Insurance Coverage*** – Part of two-lawyer team that litigated coverage action against equipment breakdown insurer in Arizona state court from filing of lawsuit through trial and appeal, securing a near-\$900k judgment affirmed on appeal;
- ***Financial Services*** – Defended publicly-traded financial institution in Eastern District of Missouri against allegations of breach of loan repurchase provision brought by major secondary market loan purchaser, from filing of lawsuit through judgment and appeal, prevailing on claims involving 6 of 12 loans;
- ***False Claims Act*** – (1) Obtained dismissal of FCA claims asserted in Western District of Missouri against defendant financial institution alleging improper diversion of TARP funds; and (2) represented relators in District of Kansas asserting FCA claims against hospital and clinics for submission of falsely coded claims and claims violating the Stark Law and Anti-Kickback Statute;
- ***Construction*** – (1) Defended two companies and five individuals in Missouri state court litigation involving more than three-dozen parties against claims of fraud, negligence, breach of fiduciary duty, and violations of Missouri Uniform Condominium Act in connection with sales of units allegedly suffering from systemic water intrusion issues; (2) Part of two-lawyer team that successfully

defended homebuilder in construction defect arbitration, obtaining a defense arbitration award later confirmed by Kansas state court and affirmed on appeal;

- **Finance** – (1) Obtained summary judgment in the District of Kansas in favor of institutional investor against real estate developer for breach of operating agreement involving development of apartment complex in Topeka, Kansas; (2) Part of two-lawyer team representing real estate investment company in New York state court litigation involving alleged breaches of \$85 million credit facility agreement, from filing of case through bench trial;
- **Employment** – (1) Part of two-lawyer team defending company against claim of unlawful retaliation in Missouri state court from filing of case through trial; and (2) defended employer and obtained dismissal of workmen’s compensation retaliation claim against company asserted in Oklahoma state court, and affirmed on appeal;
- **Class Action** – successfully defended debt purchaser clients against consumer class actions in Kansas state court alleging violations of Kansas Consumer Protection Act.

Gibson, Dunn & Crutcher LLP, Dallas, Texas

Associate, October 2004 – February 2010

Represented and advised clients in both state and federal court, primarily in the areas of securities litigation, accountant/auditor liability, insurance coverage litigation, contract disputes, and general commercial litigation. Drafted motions and briefs at both the trial court and appellate levels, argued motions, took and defended depositions, negotiated and drafted settlement and other agreements, tried a case to jury verdict, second-chaired bankruptcy confirmation hearing, and managed large, complex cases.

ADMISSIONS:

Admitted to practice before all Kansas, Missouri, and Texas state courts, and the United States District Courts for the District of Kansas, the Western District of Missouri, and the Eastern District of Missouri.

EDUCATION:

Georgetown University Law Center, Washington, D.C.

Juris Doctor, *cum laude*, May 2004

3.53 *Cumulative GPA*

Journal: *Georgetown Law Journal* – Executive Notes & Comments Editor (Vol. 92)

University of Oklahoma, Norman, Oklahoma

Bachelor of Arts in Political Science, Minor in Philosophy, May 2001

4.0 *Cumulative GPA*

Redlands Community College, El Reno, Oklahoma

Associate of Arts, May 1999

4.0 *Cumulative GPA*