LYNN PINKER HURST & SCHWEGMANN

Clint Cowan

Partner

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Clint is a Partner at LPHS, where he represents businesses and individuals in a wide array of complex commercial cases. Clint was previously a partner at Kirkland & Ellis and an associate at LPHS.

Clint maintains a diverse trial and appellate practice serving some of the nation's largest energy, pharmaceutical, consumer products, and retail businesses in state and federal courts and arbitrations.

He has extensive experience in energy contract disputes, with a focus on midstream commercial issues. Clint also has significant experience in mass tort litigation, having represented clients in multiple MDLs involving product liability, public nuisance, deceptive trade practice, consumer protection, premises liability, and negligence claims. He has conducted investigations for special committees and has advised boards of directors on issues related to creditor claims, fiduciary duties, and employment disputes. He has experience assisting companies in responding to FTC and state attorney general investigations and civil investigative demands, as well as litigating against state attorneys general. He has also represented brands in the retail and travel industries in claims for trade secret misappropriation and breach of confidentiality.

Clint is experienced in noncompete and restrictive-covenant cases involving departed executives, having secured and defended against claims for injunctive relief and damages. Clint has also represented investors and principals in family office and private equity portfolio disputes. In addition, Clint has litigated insurance-coverage cases (insurer and policyholder), commercial lease disputes, and antitrust suits.

Clint also maintains an active First Amendment commercial speech practice on behalf of clients engaged in door-to-door sales. He and others at the firm regularly litigate § 1983 challenges to commercial solicitation bans and curfews, license restrictions, and solicitation bonds and fees. These efforts have led to ordinance changes in more than 100 municipalities nationwide, preliminary and permanent injunctions, and § 1988 attorneys' fee awards in federal court.

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In addition to his litigation practice, Clint regularly assists clients in pre-litigation investigations and analysis. He has advised multiple private equity funds on litigation risks for potential energy and retail industry transactions. And he advises clients on earnout and post-closing disputes in the energy and retail industries.

Clint also maintains an active pro bono practice through the firm's partnership with Advocates for Community Transformation (ACT).

Clint attended the University of Virginia School of Law, where he was Managing Editor of the Virginia Law & Business Review and President of Virginia Law Families. He was also a member of the Appellate Litigation Clinic, through which he and a classmate won an abuse-of-discretion ruling from the U.S. Court of Appeals for the Fourth Circuit on behalf of a client serving a federal sentence. Prior to law school, Clint graduated Phi Beta Kappa from the University of North Carolina-Chapel Hill and taught high school math for four years through the Memphis Teacher Residency.

He and his wife Lizzie are the busy and proud parents of three young children.

EDUCATION

- University of North Carolina – Chapel Hill, B.A. in Economics and Religious Studies, Phi Beta Kappa, Highest Distinction
- University of Virginia School of Law, J.D.
    - ***Virginia Law & Business Review,*** Managing Editor
    - Virginia Law Families, President

HONORS & AWARDS

- ***Best Lawyers*** "Ones to Watch," 2021-2026

REPRESENTATIVE MATTERS

- *In re: East Palestine Train Derailment:* Counsel to ***GATX Corporation*** in multiple class-action and CERCLA litigations arising from the February 2023 derailment of a Norfolk Southern train in East Palestine, Ohio, and the resulting damage.
- *Allen, et al. v. Eland Energy, Inc., et al.:* Counsel to the ***Allen 2018 Family Trust*** in fiduciary duty litigation in Dallas County, Texas.
- *In re JUUL Labs, Inc. Product Liability Litigation:* Counsel to ***JLI*** in multi-jurisdiction litigation involving product liability, sales, marketing, and design claims.

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- In re Insulin Pricing Litigation: Counsel to ***pharmaceutical company*** in multi-jurisdictional litigation involving claims for deceptive
  trade practices and consumer protection violations.
- Debtor's counsel for publicly traded ***life science company*** in Chapter 11 proceeding. Assisted in conducting pre-filing investigation for special committee related to potential unsecured creditor claims.
- Trial counsel in personal injury litigation where plaintiffs claimed hundreds of millions of dollars in damages related to a chemical plant explosion in the ***energy industry***. Highly favorable settlement achieved after several weeks of trial.
- *Aptive Environmental, LLC v. Village of East Rockaway, NY:* secured permanent injunction and attorneys' fee award against municipality's commercial solicitation fee; decision affirmed by the U.S. Court of Appeals for the Second Circuit.
- *Aptive Environmental, LLC v. Town of Castle Rock, CO:* helped secure permanent injunction against the Town's 7:00 p.m. solicitation curfew, as well as attorneys' fee award; decision affirmed by the U.S. Court of Appeals for the Tenth Circuit.
- Counsel for taxpayer in suit against government contractor for tax return data breach.
- Represented ***global pharmaceutical company*** in FTC investigation concerning drug pricing.
- Represented ***major pharmaceutical company*** in class action antitrust litigation alleging anticompetitive reverse payment related to an Alzheimer's drug.
- Trial counsel in Texas MDL involving over 6,000 plaintiffs arising from chemical plant explosion.
- Arbitration counsel for ***private equity portfolio company*** in dispute with terminated executive concerning restricted equity units and employment discrimination claims exceeding $50M in exposure. Part of trial team that secured take-nothing judgment.
- Arbitration counsel for ***life sciences company*** in laboratory services billing dispute. Favorable settlement achieved.
- Trial counsel for ***leading midstream company*** for claims exceeding $300M related to gathering agreement and equity funding disputes.
- Trial counsel for ***leading midstream company*** in property nuisance and trespass claims relating to natural gas pump station, resulting in favorable settlement.
- Trial counsel for ***global steel company*** in multiple contract and warranty disputes. Achieved favorable pretrial settlements.
- Trial counsel for commercial tenants in breach-of-lease and constructive eviction disputes in Florida and Texas. Achieved favorable settlements.