

Nathan M. Berman

Partner

Nathan M. Berman maintains a broad litigation practice, representing clients in Florida and throughout the country.

Nate represents individuals and institutions in civil disputes, white collar crime, government investigations, securities law, and health care fraud.

In his civil litigation practice, Nate represents corporations, special committees, current and former officers and directors, and other individuals in a variety of matters concerning commercial disputes, consumer litigation, non-compete agreements, securities, and the False Claims Act.

Nate also has an active criminal defense practice. He represents corporations, executives, current and former employees, health care professionals and other individuals facing federal and state investigations and prosecutions in a wide variety of areas, including health care and other fraud, FCPA, securities violations, tax matters, deceptive and unfair trade practices, and environmental crimes. Nate also represents individuals in related forfeiture matters.

Prior to joining the firm, Nate served as clerk to the Hon. James S. Moody Jr. of the U.S. District Court for the Middle District of Florida. He also served as clerk to the Hon. Cynthia G. Angelos of the Nineteenth Judicial Circuit of Florida. While earning his law degree, Nate served as a legal intern in the U.S. Attorney's Office for the Western District of Texas and the U.S. Attorney's Office in Washington, DC.

Professional leadership

- Member, Federal Bar Association
- Member, Hillsborough County Bar Association (Trial and Litigation and Criminal Law Sections)
- Member, National Association of Criminal Defense Lawyers (NACDL)
- Member, American Bar Association (Criminal Justice, Litigation and Tort, Trial and Insurance Sections)

Recognitions

- The Best Lawyers in America, Commercial Litigation; Criminal Defense: White-Collar



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Practice focus

- Business Litigation
- False Claims Act (FCA)
- Foreign Corrupt Practices Act (FCPA)
- Health Care
- Investigations
- Securities and Commodities Litigation

Education

- Georgetown University Law Center, J.D., *cum laude*, 2000
 - Book Awards in Criminal Law, Evidence, Law and Social Science
 - Dean's List
- University of Kansas, B.G.S., 1997
 - Dean's Honor Roll
 - Golden Key

- Super Lawyers (Florida)
- Florida Trend's Florida Legal Elite

◦ Alpha Kappa Delta

Bar admissions

- Florida

Court admissions

- U.S. Supreme Court
- U.S. Court of Appeals, Eleventh Circuit
- U.S. District Court, Middle District of Florida
- U.S. District Court, Northern District of Florida
- U.S. District Court, Southern District of Florida

Clerkships

- Hon. James S. Moody Jr., U.S. District Court, Middle District of Florida
- Hon. Cynthia G. Angelos, 19th Judicial Circuit of Florida

Representative matters

- Represents technology companies in multiple matters, including lawsuits challenging decisions to remove or limit access to specific online content.
- Represents the former owner of a chemical processing plant in a mass tort lawsuit pending in Florida state court brought by individuals alleging personal injuries and property damages that allegedly resulted from pollution emanating from the plant.
- Represented a national pharmacy chain in defense of suits by state and local governments and hospitals to recover costs alleged to have been caused by the shipment and dispensing of prescription opioids.
- Represented several individuals indicted for illegally diverting prohibited computer equipment to Iran.
- Represented a national retailer in litigation in the Middle District of Florida involving alleged breach of contract. The matter settled on favorable terms for the client.
- Represented a national corporation accused of civil rights violations in a lawsuit brought by a former employee in the Southern District of Florida. We obtained summary

judgment in favor of the client and successfully defended the case on appeal before the Eleventh Circuit.

- Represented an energy efficiency company in litigation against an engineering company alleging the defendant overstated a project's potential savings. After a five day arbitration, the case settled on favorable terms to the client.
- Defended a physician group against allegations that its billing practices violated Florida's deceptive and unfair practices act. We were able to negotiate a satisfactory resolution for the client.
- Represented health care providers in a putative class action against major insurance companies alleging that the companies violated state law by failing to reimburse providers for covered health services based on usual, customary, and reasonable rates. We were able to negotiate a favorable settlement on behalf of the client.
- Represented a major legal publisher in an investigation being conducted by the Florida Attorney General into allegations of deceptive and unfair trade practices involving negative option plans.
- Defended a former CFO of a health care company in U.S. Securities and Exchange Commission (SEC) and U.S. Department of Justice (DOJ) investigations into illegal option backdating.
- Represented a senior executive of a publicly traded company in U.S. Securities and Exchange Commission (SEC) and U.S. Department of Justice (DOJ) investigations into Foreign Corrupt Practices Act (FCPA) violations. We made a presentation to the DOJ Fraud Section on behalf of our client who was not charged.
- Represented a corporation charged with violations of the Lacey Act in the Southern District of Florida. The case involved the importation of certain animal items aboard a corporate yacht. We secured a corporate plea agreement that resulted in no charges being brought against the individual.
- Represented a French manufacturer of animal products in a commercial dispute in the U.S. District Court for the Middle District of Florida. We obtained an adverse inference for spoliation of evidence, and the case settled prior to trial.
- Represented a former board chairman in numerous lawsuits brought by investors in a restaurant franchise. We

were able to obtain the dismissal of one lawsuit and the settlement of the remaining suits without a financial contribution from our client.

- Conducted an internal investigation involving disclosures to the U.S. Food and Drug Administration (FDA) on behalf of an international pharmaceutical company. The investigation involved potential false claims involving drug recycling.
- Defended an executive and former general counsel of a major public health care insurance company in connection with federal health care fraud charges. The indictment involved complex legal and accounting issues regarding the Florida Medicaid behavioral health care program. A related civil suit filed by the U.S. Securities and Exchange Commission (SEC) alleged fraud, false filings, and related violations of the Securities Act.