



Bernard Nash

Co-Chair, State Attorneys General

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Practice Areas

- State Attorneys General
- Government & Regulatory
- Antitrust

Education

- Brooklyn Law School, J.D., *cum laude*, 1966
- City College of New York, B.B.A., 1963

Bar Admissions

- Maryland
- New York
- District of Columbia

Awards & Honors

- Brooklyn Law School Lifetime Achievement Award, 2018
- Chambers & Partners USA 2007-2020; Band 1 in Government Relations: State Attorneys General
- Best Lawyers in America 2007-2021
- State AG Report named "Blog of the Year in Law" by the Burton Awards, 2017

Bernie has cultivated an unsurpassed understanding of the State Attorneys General (AG) world over his 50-plus years of practice. He has access to, and strong working relationships with, key decision-makers in state AG offices throughout the country. As AGs have increased their political, policy, and regulatory clout, under Bernie's leadership the Cozen O'Connor State AG Group has become the leading practice in the United States devoted to defending clients in AG investigations and litigations, resolving state AG disputes and counselling clients on working constructively with AGs.

Bernie advises clients on how to successfully navigate and manage AG scrutiny and oversight in investigations, settlements, and litigation. He advises on strategies for managing litigation, and when it cannot be avoided, works to minimize the associated risks. He has represented some of the largest and most significant national and international companies, including Fortune 50 companies, across a wide range of industries such as financial services, telecommunications, technology and software, retail, energy, automotive, pharmaceuticals, and agriculture. Clients come to him when their company's reputation, market position, and even very existence, are on the line. His experience in handling large mergers with antitrust implications, significant single-state AG actions, and large multi-state actions is vast.

Bernie's depth and breadth of experience gives him a unique ability to see all pieces of the state regulatory puzzle and guide his clients to clear and decisive action. This no-nonsense, reality-based perspective facilitates frank conversations through which Bernie helps clients identify achievable solutions. Taken together with Bernie's decades-long relationships with individual AGs and their staffs, Bernie is uniquely positioned to negotiate creatively with AGs to achieve the best possible outcomes for his clients, aligned with their strategic business goals.

As a former trial attorney and special counsel for the U.S. Securities and Exchange Commission as well as counsel to the U.S. Senate Subcommittee on Antitrust and Monopoly — where he was responsible for drafting the Hart-Scott-Rodino Antitrust Act of 1976 and developing and executing the legislative strategy that overcame two filibusters prior to its enactment — Bernie's government experience provides an additional valuable perspective to his current client work.

Bernie is the co-editor of Cozen O'Connor's State AG Report blog, the go-to resource for issues relating to AGs.

Experience

Advising a major drug manufacturer on issues related to the importation of pharmaceuticals into the United States from Canada and the threat presented to the drug industry and consumers by international counterfeiters. We are working with State Attorneys General to represent our client's interests and address consumer protection concerns.

Secured AG antitrust clearances of multiple billion dollar mergers in a variety of industries.

Secured AG amicus support in landmark U.S. Supreme Court cases for Fortune 100 companies and associations.

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Successfully represented a multinational financial institution in a multistate AG investigation of the alleged manipulation of LIBOR.

Successfully represented a major financial institution in negotiating a settlement of a 50-state multistate investigation of its mortgage-related practices.

Successfully represented multiple credit card companies in AG consumer protection investigations and litigation.

Successfully represented a major tax and financial software company in multiple AG investigations of data breaches, account takeovers, privacy and consumer protection issues.

Successfully represented a Fortune 100 insurance and financial services company regarding AG issues involving consumer protection, unclaimed property and other matters.

Successfully represented a Fortune 100 telecommunications company in a settlement with 50 AGs, FTC, and FCC to resolve an industry-wide investigation into third-party billing practices.

Represented a Fortune 100 telecommunications company to secure the support of 16 AGs to oppose the FCC's data privacy rule.

Developed "franchise reform" strategies and initiatives to facilitate a Fortune 100 telecommunication company's entry into the video services market.

Advised a Fortune 100 pharmaceutical company on the legal, media, and political ramifications of multiple data breach incidents and managed communications on these breaches with AGs.

Successfully represented a Fortune 100 pharmaceutical company to avoid AG antitrust investigations and lawsuits regarding foreign drug importations.

Successfully represented a Fortune 100 company in landmark lead paint public nuisance litigation.

Successfully represented a major nutritional supplement company in a multistate AG investigation with respect to its marketing practices.

Successfully represented a Fortune 100 company in multiple pricing investigations and litigation by AGs.

Serving as national AG counsel for a global financial services company in various consumer protection, privacy and antitrust investigations and litigation.

Representing a Fortune 100 financial institution in a multistate AG investigation of its sales practices.

Representing a national business legal reform advocacy organization before State AGs.

Representing major automobile manufacturers in numerous AG consumer protection investigations and enforcement actions.

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