

Brett S. Covington

Partner

T 202.898.5897

bcovington@hollingsworthllp.com



Growing up at NATO headquarters, Brett learned quickly how to adapt and work with people from all backgrounds and languages. His unique perspective and communication skills have served his clients well, whether it be winning arguments before state and federal courts, deposing critical witnesses in complex litigation, representing clients in government investigations, or handling national and international arbitrations.

Brett successfully represented a sports franchise in a contract dispute involving whether non-purchaser recipients of electronic tickets were bound to the terms and conditions, including a mandatory arbitration clause. A federal court of appeals agreed that technological advances should not upend established law that persons entering venues are bound by the terms and conditions of their tickets, even if they did not purchase the ticket or otherwise engage with the electronic platform necessary for downloading the ticket. *Naimoli v. Pro-Football, Inc.* 120 F.4th 380 (4th Cir. 2024).

Brett was a key member of the trial team that secured a complete defense verdict for Firm clients Sotera Health and its subsidiary Sterigenics in a 28-day jury trial in the Circuit Court for Cook County, Illinois. This high-stakes case, part of a larger mass tort litigation, involved personal injury claims relating to ethylene oxide emissions from a medical device sterilization facility that Sterigenics previously operated in Willowbrook, Illinois. For many years, Brett also represented an agricultural company in nationwide product liability litigation where he managed the day-to-day litigation strategy and discovery in 10+ cases.

Several of his successful depositions have resulted in the dismissal of legal claims or moved cases out of plaintiff-friendly jurisdictions. He has written dozens of legal briefs (including for two successful cases before the Fourth Circuit) covering a wide range of matters and has argued and won critical motions before both federal and state trial courts. Brett's arbitration experience includes serving as the lead attorney representing an international development organization concerning the alleged breach of a distribution contract in western Africa. He has been involved in three additional arbitrations before the American Arbitration Association, all of which were client victories.

In addition to his complex civil litigation and arbitration experience, Brett has represented clients under criminal and civil investigation by the U.S. Department of Justice, including successfully defending an energy company under investigation for alleged criminal violations of the Clean Air Act, which resulted in the government deciding not to pursue felony criminal charges against the client. He also represented a healthcare client under investigation for alleged violations of the False Claims Act and the Anti-Kickback Statute, where he made defense presentations to the U.S. Attorney's Office and Main Justice.

Following law school, Brett completed a two-year clerkship with U.S. District Judge Thomas W. Phillips of the Eastern District of Tennessee. He gained considerable knowledge on a wide range of civil and criminal matters, including product liability actions, breach of contract disputes, the False Claims Act, employment discrimination, and criminal sentencing. He was also the lead law clerk on six criminal trials. Prior to clerking, he served as a judicial intern to U.S. District Judge Lee H. Rosenthal of the Southern District of Texas, a former Chair of the Judicial Conference Advisory Committee on Civil Rules. While in law school, Brett was the Executive Editor of *The Georgetown Immigration Law Journal*.

Services

Business Interruption & Commercial Disputes
Complex Litigation
Government Investigations, White Collar & Civil Defense
Products Liability & Toxic Torts

Education

Georgetown Law (J.D., 2009)
Wake Forest University (B.A., 2006)

Admissions

District of Columbia and New York
United States Supreme Court
United States Courts of Appeals for the Fourth, Eleventh, and District of Columbia Circuits
United States District Courts for the District of Columbia, Maryland, and the Eastern, Northern, Southern, and Western Districts of New York

Memberships

- Offender Aid Restoration ("OAR") Board of Directors, Member, 2018 – 2020