

Brett S. Covington

Partner

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Growing up at NATO headquarters in Belgium, 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 judges on key issues; deposing critical witnesses in complex litigation; representing clients in government investigations; or handling national and international arbitrations. Recently, he served on 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, IL. Brett recently served as the lead attorney in an arbitration representing an international development organization concerning a distribution contract in western Africa. His arbitration experience also includes involvement in three prior matters before the American Arbitration Association, all of which were client victories. He currently represents an NFL team in complex litigation arising out of its operations, including suits concerning the scope and enforceability of ticketing contracts.

Among his recent work, Brett 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 resulted in the dismissal of legal claims or moved cases out of plaintiff-friendly jurisdictions. He has written dozens of legal briefs (including successfully defending an appeal before the Fourth Circuit) covering a wide range of matters, and argued and won critical motions before both federal and state judges. 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 the Honorable Thomas W. Phillips at the U.S. District Court for 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, and he was the lead law clerk for six criminal trials. Prior to clerking, he served as a judicial intern to the Honorable Judge Lee H. Rosenthal at the U.S. District Court for the Southern District of Texas. 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 Defense
Toxic Torts & Products Liability

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