Nancy Hart

Partner

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New York



Nancy E. Hart is a litigation partner in the New York office of Gibson, Dunn & Crutcher. She is Co-Chair of the firm's Law Firm Defense Practice Group and a member of the White Collar, Securities Litigation, and Class Action Groups.

Ms. Hart focuses on law firm defense, real estate litigation, securities and derivative litigation, corporate control contests, and class action defense, as well as crisis management issues in white collar investigations. Ms. Hart had significant experience representing clients in a wide range of matters in state and federal courts, at both the trial and appellate levels, as well as in domestic and international arbitrations, involving a wide range of claims, including legal malpractice, breach of fiduciary duty, aiding and abetting tortious conduct, fraud, breach of contract, joint venture disputes relating to real property, and various Securities Act claims. Ms. Hart has successfully represented law firms, companies, partnerships, real estate ventures, and individuals throughout the country in high-stakes matters at all phases of trial court litigation and arbitration, including through multiple victories at trial.

Ms. Hart is recognized by *Chambers USA* as one of the nation's leading attorneys for Law Firm Defense. In March 2020, *The Am Law Litigation Daily* named Ms. Hart as "Litigator of the Week" for obtaining a successful jury verdict on behalf of a Fortune 250 company. Ms. Hart has also been recognized by *The Best Lawyers in America*® as "One to Watch" in Litigation – Securities and by *Benchmark Litigation* as a "Future Star."

Ms. Hart serves on the executive committee of the board of directors of Family Legal Care, a non-profit focused on helping families navigate New York's family court system. She further serves on the Board of Trustees for Berkeley Carroll School, and was previously a member of the Professional Responsibility Committee of the Bar of the City of New York, a committee that examines legal ethics issues facing practitioners and makes recommendations as to potential changes in the standards that govern the conduct of lawyers.

Ms. Hart graduated *magna cum laude* from Boston College Law School in 2003 and was elected to the Order of the Coif. She received her Bachelor of Arts degree in English from Vassar College in 1998. Ms. Hart is admitted to practice in the State of New York and before the United States Court of Appeals for the First, Second, Sixth, and Eleventh Circuits, as well as the District Courts for the Southern and Eastern Districts of New York.

Representative Matters

- Successfully represented law firm in actions filed both in Washington, D.C. and

Capabilities

Litigation
Law Firm Defense
Securities Litigation
Transnational Litigation
Trials

Credentials

Education

Boston College - 2003 Juris Doctor
Vassar College - 1998 Bachelor of Arts

Admissions

New York Bar

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Illinois in which the plaintiff, a major accounting firm, and its clients alleged negligence and fraud and sought hundreds of millions of dollars in damages relating to the marketing of certain tax products. Decision affirmed on appeal.

- Successful resolution of lawsuit against law firm in New York in which plaintiff alleged legal malpractice and breach of fiduciary duty in connection with a former representation and claimed damages in excess of $600 million.
- Won lengthy trial representing a Fortune 250 company in connection with civil litigation asserting nearly $1 billion in liability arising out of financing related to an alleged “Ponzi” scheme.
- Won lengthy arbitration representing a law firm in connection with legal malpractice claims and obtained substantial monetary award against plaintiff in counterclaim.
- Won dismissal at the pleading stage of multi-million litigation asserting RICO claims, among others, brought by former President Donald Trump against law firm client and others.
- Won lengthy arbitration on behalf of a real estate entity stemming from the attempted wrongful termination of entity as the general partner of joint venture partnership by equity member.
- Defeated attempted dismissal of claims brought by real estate entity against joint venture partner, resulting in resolution on favorable terms.
- Advised real estate entity in connection with negotiation and potential litigation relating to multi-billion venture with governmental partner.
- Successfully represented Vista Outdoors in high-stakes earn-out dispute initiated by Vista against the sellers of a business Vista acquired. Following expedited discovery, won summary in the Southern District of New York on affirmative claims and dismissal of defendants’ counterclaims. The Court’s memorandum and order is now the leading opinion addressing the duty of good faith and fair dealing under NY law.
- Successfully represented a law firm in connection with potential high stakes litigation with a former associate and helped successfully bring the matter to resolution to the benefit of the client.
- Won summary judgment on behalf of the Port Authority of New York and New Jersey dismissing Commerce Clause challenge to certain toll and fare increases approved by the Port Authority. Earlier in the same litigation, defeated plaintiffs’ application for a preliminary injunction, and won ruling upholding exercise of the deliberative process privilege.
- Obtained preliminary injunction on behalf of leading international insurance organization in Delaware Chancery Court preventing former business partner from using trade secrets and confidential information. Key victory paved the way to successful resolution for client.
- Obtained complete dismissal of all claims at summary judgment on behalf of Dow Jones in successful defense against a consumer class action in the Southern District of New York brought on behalf of a putative nationwide class of annual *com* subscribers regarding access to Barron’s Online; favorable decision affirmed on appeal by the Second Circuit.
- Represented a leading cosmetics and skincare company in international arbitration in dispute involving termination of British distributor and numerous contractual claims. Case resolved favorably for the client.
- Successfully represented leading hotel and resort conglomerates in connection with multiple §1782 applications filed around the country seeking extensive and burdensome discovery for use in a foreign proceeding and successfully had all such applications either denied by court order or otherwise withdrawn.

Recent Speaking Engagements

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- Panelist, “Defending the Unworthy Client Case,” ABA Spring 2026 National Legal Malpractice Conference, April 2026.
- Panelist, “Year in Review: Significant Developments in Legal Malpractice Cases,” Hinshaw Annual Legal Malpractice & Risk Management Conference, March 2026.
- Panelist, “Loss Prevention Lessons from Malpractice Defense Attorneys,” Aon Law Firm Symposium, October 2025.
- Panelist, “Trends in Non-Malpractice Claims Against Lawyers and Law Firms, ” Hinshaw Annual Legal Malpractice & Risk Management Conference, March 2024.
- Speaker, “Legal Malpractice and M&A,” Bar Association of the City of New York, New York, NY, November 2021.

Publications

- Contributing author, *Obtaining Evidence for Use in International Tribunals Under Section 1782* (publication March 2020).
- Author, “Chancery Rejects Attempt to Stop Running of Interest in Appraisal Action,” *Delaware Business Court Insider* (March 19, 2014).
- Author, “Chancery Court Provides Guidance on ‘Don’t Ask, Don’t Waive’ Standstill Provisions,” *Delaware Business Court Insider* (January 16, 2013).
- Author, “The Instant Impact of *Shady Grove Orthopedic Assoc. v. Allstate Ins. Co*. on Litigators and the Interplay Between FRCP 23 and State-Law Limits on Class Actions,” ExecSense Webinars (May 15, 2010).

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