



Jason W. Callen

Partner

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OVERVIEW

Jason Callen is a partner in the firm's Nashville office and a trial attorney whose practice focuses on complex commercial litigation in both federal and state trial and appellate courts in Tennessee and numerous other states.

For almost 20 years, he has represented individuals and companies in a variety of intra- and inter-corporate disputes. These have included disputes arising from:

- mergers and acquisitions;
- breaches of contract;
- enforcement and avoidance of non-compete and non-solicitation agreements;
- stock options and awards;
- fraudulent transfers and other business fraud;
- securities claims; and
- corporate and partnership break-ups and corporate governance claims.

Jason has represented companies and independent litigation committees pursuing internal investigations arising from shareholder demands and employee complaints. He has also represented both debtors and creditors in adversary proceedings in bankruptcy court.

Jason has served as lead trial counsel in both jury and bench trials. He is a fellow of the Nashville Bar Foundation and has been recognized in *Best Lawyers in America* for Commercial Litigation for the last six years.

ACHIEVEMENTS

- Recognized by *Chambers USA* as an Up-and-Coming Individual for Litigation: General Commercial in Tennessee, 2024
- *Best Lawyers in America*® - Commercial Litigation, 2015-2022

- *Super Lawyers*® - Mid-South Super Lawyers, Business Litigation, 2018-2021

PROFESSIONAL / CIVIC ACTIVITIES

- Law Clerk, Honorable Frank Easterbrook, U.S. Court of Appeals for the Seventh Circuit, 2003–2004
- Nashville Bar Association
- Nashville Bar Foundation Fellow, 2018
- Tennessee Bar Association
- American Bar Association
- Belmont University, Adjunct Professor, 2015–present
- Economic Club of Nashville, President-Elect, 2021
- Belmont Inn of Court, 2020–present
- St. George's Episcopal Church, Senior Warden, 2015–2017

EDUCATION

- J.D., The University of Chicago Law School, 2003
- B.S., Washington and Lee University, 1998

ADMISSIONS

- Bar of Illinois
- Bar of Tennessee
- United States Court of Appeals for the First Circuit
- United States Court of Appeals for the Seventh Circuit
- United States Court of Appeals for the Sixth Circuit
- United States District Court for the Eastern District of Tennessee
- United States District Court for the Middle District of Tennessee
- United States District Court for the Northern District of Illinois
- United States District Court for the Western District of Tennessee

THOUGHT LEADERSHIP *POWERED BY HUB*

- 17 June 2024, Litigation Minute: State Generative AI Statutes and the Private Right of Action
- 22 March 2024, Tennessee Moves First on AI Protections With ELVIS Act
- January 2022, January 2022 Accolades
- September 2021, September 2021 Accolades

OTHER PUBLICATIONS

- Co-Author, "[Using Insurance Coverage To Fund Early Settlement](#)," Law360. 8 February 2022.

NEWS & EVENTS

- 6 June 2024, K&L Gates Receives More Than 200 Firm, Individual Rankings in 2024 *Chambers USA* Guide
- 18 August 2022, More Than 350 K&L Gates Lawyers Named Among 2023 Best Lawyers in America, Ones to Watch
- 19 August 2021, Nearly 300 K&L Gates Lawyers Named Among 2022 Best Lawyers in America, Ones to Watch
- 3 February 2021, K&L Gates Launches Nashville Office With Hire of 25+ Lawyers

MEDIA MENTIONS

- Mentioned, "Economic Club of Nashville names Callen board president," *NashvillePost.com*, 27 August 2021

AREAS OF FOCUS

- Commercial Disputes
- Real Estate Litigation
- Restructuring and Insolvency
- Securities and Transactional Litigation

INDUSTRIES

- Life Sciences

REPRESENTATIVE EXPERIENCE

- Represented multinational investment bank and financial services company in litigation stemming from alleged claims of tortious interference and misappropriation of trade secrets, including in the United States District Court for the Middle District of Tennessee and the United States Court of Appeals for the Sixth Circuit.
- Represented public healthcare company in arbitration against former subsidiary stemming from the spin-off of the sub where the sub asserted claims in excess of US\$400 million. Following a four-week arbitration, the client healthcare company prevailed on the majority of the claims.
- Represented healthcare technology company against allegations of securities fraud and breach of contract brought in Tennessee state court by former investors in the company. Investors sought millions of dollars in damages and case was settled on terms highly favorable to the client.
- Represented defendant in a week-long federal jury trial related to multi-million dollar claims of copyright infringement of best practices training manuals. Obtained favorable jury verdict for client.
- Represented a publicly-traded retailer in a lawsuit to enforce a US\$1.5 billion merger agreement where the key dispute was a national issue of first impression regarding Material Adverse Change (MAC) clauses. The case was tried for a week and eventually settled.
- Represented numerous individuals in business divorces, some of which were settled and one of which proceeded to a jury trial resulting in a judgment for the client.
- Represented Fortune 100 technology company in a lawsuit in which global manufacturer claimed nearly \$200 million in damages as a result of an allegedly defective data-management system.
- Represented the Nashville MTA in two suits involving claims for breach of contract, copyright infringement and unjust enrichment. The Nashville MTA has asserted counterclaims to recover almost US\$5 million for an alleged defective computer-aided dispatch system installed by Plaintiff throughout MTA's busing transportation system.
- Co-counsel for the managers of a group of portfolio funds who were sued by numerous individual holders of variable annuity policies, the values of which were tied to the performance of the portfolio funds. After the funds performed poorly, the holders asserted various fraud and state securities claims seeking millions of dollars in damages against the managers, the issuers of the policies, and an investment advisor. The case was resolved by confidential settlement.
- Represented a former auto dealer in a breach of contract suit against the auto manufacturer for approximately US\$3 million in damages.
- Represented numerous debtors and creditors nationwide in adversary proceedings in bankruptcies.
- Represented a nationwide dental management company in a lawsuit brought by its insurance carrier to rescind all professional liability policies with an alleged US\$1 billion in coverage at issue. The suit followed a multi-million settlement by the client with the Department of Justice and numerous state attorneys general.

- Represented a nationwide construction materials distributor in a suit with its chief competitor over unlawful recruiting.
- Represented two widows whose husbands died on the Hermitage Golf Course when a rotten tree fell onto their golf cart. The case was settled after the trial judge excluded defendant's expert witness.