



## Nicole C. Mueller

### Partner

Chicago  
+1.312.807.4341

[nicole.mueller@klgates.com](mailto:nicole.mueller@klgates.com)

## OVERVIEW

Nicole Mueller's practice is focused in litigation under the federal and state securities laws and litigation arising out of mergers and acquisitions, other transactions and corporate governance matters. Her experience includes representing investment advisers, corporate officers and directors, and independent trustees in derivative lawsuits, investigations, and actions brought pursuant to Section 36(b) of the Investment Company Act of 1940. Nicole also practices in the areas of complex commercial litigation and arbitration, regulatory disputes, and employment law.

## PROFESSIONAL BACKGROUND

Nicole was a summer associate at K&L Gates. During law school, she served as a judicial extern for the Honorable Joan Humphrey Lefkow in the United States District Court for the Northern District of Illinois. Nicole served as a teaching assistant for the Legal Writing and Research courses taken by first-year and international students. She also worked as a research assistant for the Environmental Advocacy Center at Northwestern University Pritzker School of Law's Bluhm Legal Clinic and participated in the Supreme Court Clinic. Nicole served as the Executive Articles Editor for the *Journal of Law and Social Policy*. Nicole served as the Treasurer for the Northwestern chapter of the American Constitution Society and Liaison to the Chicago chapter of the American Constitution Society. Prior to attending law school, she worked as a field organizer, training volunteers to coordinate political campaigns in their communities, and later as a legal assistant in a general practice law firm in Illinois.

## ACHIEVEMENTS

- Listed in the "Ones to Watch" section, *The Best Lawyers in America*®, 2021
- *Illinois Leading Lawyers*, Emerging Lawyer, Commercial Litigation 2017

## PROFESSIONAL / CIVIC ACTIVITIES

- American Constitution Society

- Chicago Bar Association
- Chicago Volunteer Legal Services
- Illinois Bar Association
- Ann & Robert H. Lurie Children's Hospital Junior Council (Junior Board Member, supporting the Pediatric and Adolescent HIV and AIDS Program)
- Tufts University CASE Network (Mentor)

## SPEAKING ENGAGEMENTS

- "Regulation of Cryptocurrencies and ICOs," K&L Gates Chicago Investment Management Conference, November 13, 2018
- "Registered Fund Litigation Update," K&L Gates Chicago Investment Management Conference, November 13, 2018
- "Registered Fund Litigation Update," K&L Gates Chicago Investment Management Conference, January 31, 2018.

## EDUCATION

- J.D., Northwestern University Pritzker School of Law, 2012 (*Executive Articles Editor, Journal of Law and Social Policy*)
- B.S., Tufts University, 2006 (*Stern Family Scholar*)

## ADMISSIONS

- Bar of Illinois
- United States Court of Appeals for the Seventh Circuit
- United States District Court for the Northern District of Illinois

## THOUGHT LEADERSHIP POWERED BY HUB

- 19 July 2021, Supreme Court Remands Securities Class Action Against Goldman Sachs Back to Second Circuit (*Alerts/Updates*)
- 20 March 2020, COVID-19: UPDATED Emergency and Healthcare Calls and Texts (*Alerts/Updates*)
- 10 March 2020, COVID-19: NY State of Emergency Imposes Ban on Telemarketing Calls (*Alerts/Updates*)
- 30 July 2019, Circuit Court Affirms Holding Reducing TCPA Award by 98% (*BlogPost*)

- 25 June 2019, Supreme Court Declines to Define Scope of Deference Courts Should Apply to FCC TCPA Orders (*BlogPost*)
- 14 December 2018, FCC Votes to Create Reassigned Numbers Database (*BlogPost*)
- 5 October 2018, In Wake of ACA Int'l, Ninth Circuit Adopts Expansive Definition of ATDS (*BlogPost*)
- 24 July 2018, One Year after the "DAO Report" Three U.S. Courts Begin to Provide Crypto-Clarity (*BlogPost*)
- 23 July 2018, Third Circuit Affirms Judgment for Investment Adviser in Section 36(b) Action (*Alerts/Updates*)
- 23 May 2018, FCC Seeks Comment on TCPA Following D.C. Circuit's Decision in ACA International (*BlogPost*)
- 20 March 2018, United States District Court for the Northern District of Illinois Grants Summary Judgment in "Manager of Managers" Excessive Fee Case (*Alerts/Updates*)
- 16 March 2018, The D.C. Circuit Calls Out the FCC – Striking Key Elements of Its 2015 TCPA Order, While Upholding Certain Provisions (*Alerts/Updates*)
- 8 January 2018, Second Circuit Affirms Dismissal of Action Against Healthcare Provider but Cautions Careful Review of TCPA Exemptions (*BlogPost*)
- 21 September 2017, District Court Decertifies TCPA Class Following Invalidation of Solicited Fax Rule (*BlogPost*)
- 6 August 2017, Bitcoin thieves abound, but Law Enforcement is getting smart and stepping up (*BlogPost*)
- 12 June 2017, Going Dark: The Use of Anonymizing Technologies in Dark Web Crimes (*Articles*)
- 9 June 2017, Dish Network Ordered to Pay \$280 Million Fine, Damages in Federal TCPA Lawsuit (*BlogPost*)
- 5 June 2017, Silk Road website founder loses appeal of conviction and life sentence (*BlogPost*)
- 4 April 2017, D.C. Circuit Holds that FCC Lacks Authority to Require Opt-Out Notices for Solicited Faxes, Vacates FCC Order (*Alerts/Updates*)
- 23 March 2017, Jury Finds Two Guilty in Bitcoin Exchange Bribery Scheme; Related Criminal Prosecutions Looming (*BlogPost*)
- 1 March 2017, FCC Solicits Comments on Petitions Seeking Clarification of "Prior Express Consent" (*BlogPost*)
- 17 February 2017, Second Circuit Affirms Denial of Class Certification in TCPA Case on Ascertainability Grounds Due to Lack of Recipient List (*BlogPost*)
- 6 February 2017, Ninth Circuit Finds Article III Standing, Dismisses TCPA Action for Failure to Effectively Revoke Consent (*BlogPost*)
- 23 December 2016, Sixth Circuit Reverses Denial of Class Certification and Dismissal Under Rule 68 in Purported Unsolicited Fax Case (*BlogPost*)

- 27 October 2016, Second Circuit Finds Offer of Judgment on Individual Claims Negates Standing for Class (*BlogPost*)
- 15 August 2016, District Court Finds Social Media Company Is Not “Sender” of Calls Under TCPA (*BlogPost*)
- 11 August 2016, FCC Clarifies TCPA Applicability for Certain Calls from Utilities, Schools (*BlogPost*)
- 12 July 2016, FCC Finds Federal Government and its Contractors Immune From TCPA Liability (*BlogPost*)
- 6 July 2016, Twitter Loses Summary Judgment Bid in TCPA Claim (*BlogPost*)
- 16 May 2016, Sixth Circuit Rejects Application of Agency Principles to Fax Broadcast Liability Under TCPA (*BlogPost*)
- 11 May 2016, Eighth Circuit Articulates New Ascertainability Standard in TCPA Class Actions (*BlogPost*)
- 27 April 2016, Circuit and District Courts Grapple with Questions Raised in the Wake of *Campbell-Ewald v. Gomez* (*BlogPost*)
- 26 April 2016, Seventh Circuit Holds That TCPA Fax Regulations Do Not Impose Strict Liability for Actions of Contractors (*BlogPost*)
- 5 November 2015, Third Circuit Applies FCC’s New TCPA “Autodialer” Interpretation (*BlogPost*)
- 28 April 2015, Last Week to File for Retroactive Waiver of FCC Rule Requiring Opt-Out Notice on All Fax Advertisements (*Alerts/Updates*)

## OTHER PUBLICATIONS

- “Crowdfunding Bill May Become State Law,” *Chicago Daily Law Bulletin*, Volume 161, No. 109, 4 June 2015

## NEWS & EVENTS

- 5 March 2021, K&L Gates Names 31 New Partners Across Global Platform (*Press Release*)

## MEDIA MENTIONS

- “CDLB People,” *Chicago Daily Law Bulletin*, 11 March 2021

## AREAS OF FOCUS

- Securities and Transactional Litigation
- Appellate Litigation
- Class Action Litigation Defense
- Complex Commercial Litigation and Disputes

- International Arbitration

## **INDUSTRIES**

- Financial Services
- Fintech