

# Nicholas H. Howell

Senior Associate  
*Trial and Global Disputes*

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Nicholas Howell specializes in complex litigation involving toxic and environmental torts, class actions, mass torts, and related matters. Nicholas litigates environmental citizen suits and permit challenges and disputes involving chemical exposure, groundwater contamination, air emissions, personal injury, stormwater, water rights, and property rights. Nicholas has counseled and represented clients in litigation related to most of the major federal environmental laws, including the Clean Water Act, Clean Air Act, CERCLA, and others as well as many counterpart state laws. Nicholas also frequently provides counsel on OSHA compliance and other process safety issues. Nicholas combines this subject matter expertise with substantial courtroom experience, having tried multiple cases to verdict in federal and state courts and administrative agencies.

Nicholas is a member of the firm's nationally recognized Trial and Global Disputes, Toxic & Environmental Torts practice group, which was named as Practice Group of the Year in 2018. Nicholas is a published author and frequent speaker on environmental and complex litigation issues.

Before joining King & Spalding, Nicholas served as a law clerk to the Honorable J. Randal Hall of the United States District Court for the Southern District of Georgia in Augusta, Georgia. He also worked as an Associate at a large international law firm in Atlanta, Georgia, focusing on environmental and complex commercial and business litigation.

Nicholas is a state-wide officer in the Environmental Law Section of the State Bar of Georgia. He serves as the President of the University of Georgia School of Law Young Alumni Committee. He also serves on the board of the Atlanta Children's Shelter, Young Professionals Advisory Committee. Nicholas is a member of the 2020 class of the Conservative Policy Leadership Institute and a graduate of the State Bar Young Lawyers Division Leadership Academy (2017).

## Matters

Successfully defended a large international medical device manufacturer and sterilizer against the State of Georgia in a lawsuit seeking a shutdown of its sterilization operations due to use of **ethylene oxide**.

Obtained **defense verdict** as second chair in a federal jury trial in the Northern District of Georgia involving allegations of violations of the Clean Water Act. This was the first NPDES stormwater

citizen-suit tried to verdict in Georgia in almost a decade.

Successfully **defeated class certification** in a federal court class action involving more than 200 putative class members against an automotive parts manufacturer for claims of chemical exposure and property damage from groundwater.

Successfully defended an **electric utility** in appeal of Clean Water Act NPDES wastewater discharge permit for coal-fired power plant.

Successfully defended a manufacturer in a suit alleging **environmental property damage claims** related to vapor intrusion of volatile organic compounds.

Successfully defended national scrap metal recycler in disputes related to a **large industrial fire** and related state and local regulatory violations.

Obtained **defense verdict** as second chair in a federal bench trial in the Southern District of Florida in a lawsuit involving claims for injunctive relief and more than \$1 million in damages.

Successfully defended two **national grocery retail chains** in federal district and appellate courts in a restrictive covenant property dispute involving claims for lost profits in excess of \$70 million.

Represented **Am Law 100 firm** in dispute alleging claims for legal malpractice totaling over \$100 million.

## Credentials

### EDUCATION

J.D., University of Georgia, cum laude

B.A., Furman University, cum laude

### ADMISSIONS

U.S. Court of Appeals for the Eleventh Circuit

U.S. District Court for the Middle District of Georgia

U.S. District Court for the Northern District of Georgia

U.S. District Court for the Southern District of Georgia  
Georgia

### CLERKSHIPS

Law Clerk, Honorable J. Randal Hall, U.S. District Court for the Southern District of Georgia

### ASSOCIATIONS

State Bar of Georgia

Environmental Law Section, State Bar of Georgia, Treasurer

University of Georgia School of Law Young Alumni Committee, President

Atlanta Children's Shelter Young Professionals Advisory Committee, Board Member

Conservative Policy Leadership Institute, Class of 2020

State Bar of Georgia Young Lawyers Division Leadership Academy, Class of 2017

## Recognition

Emerging Leaders Initiative

ENVIRONMENTAL LAW INSTITUTE, 2021

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One to Watch: Environmental Law

BEST LAWYERS, 2021

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BEST LAWYERS, 2020

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Class of 2020

CONSERVATIVE POLICY LEADERSHIP INSTITUTE

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Leadership Academy

STATE BAR OF GEORGIA YOUNG LAWYERS DIVISION, 2017

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## Insights

### ARTICLE

*May 12, 2021 • Source: For The Defense*

Environmental Tort Class Action: Still the Exception

### CLIENT ALERT

*July 13, 2020*

Return to Work: OSHA Fundamentals for the Oil and Gas Industry

### NEWSLETTER

*August 3, 2020*

Energy Newsletter - August 2020

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## Events

### SPEAKING ENGAGEMENT

*October 1, 2020*

Doug Henderson, Nicholas Howell, TaCara Harris to Speak on Virtual State Bar of Georgia Toxic and Mass Torts Annual Seminar

*March 28, 2019*

Carmen Toledo to Speak at State Bar of Georgia Toxic & Mass Torts Program

*May 11, 2018*

Nicholas Howell to Speak at Environment of Change: A Three-State Continuing Legal Education Program

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## News

### IN THE NEWS

*February 12, 2021 • Source: Bloomberg Law*

Nicholas Howell discusses President Biden's directive that the Occupational Safety and Health

Administration consider an Emergency Temporary Standard to combat the spread of COVID-19 in American workplaces

*December 8, 2020 • Source: Bloomberg Law*

Nicholas Howell quoted in a profile on David Michaels, the former OSHA administrator who was named to President-elect Joe Biden's coronavirus task force team

## RECOGNITION

*August 21, 2020*

The Best Lawyers in America Recognizes 128 King & Spalding Lawyers in its 2021 Guide

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