

Colter Paulson

Of Counsel

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About Colter

Colter Paulson has significant litigation experience, specializing in appellate litigation. He has successfully argued appeals before federal and state appellate courts and has extensive experience leading teams of associates in complex litigation, including multidistrict litigation and class actions. Colter represents clients in litigation involving consumer financial services, medical devices, healthcare and manufacturing. His international experience includes cross-border litigation on behalf of clients in Asia, South and Central America, and the Middle East. His experience also includes copyright and patent litigation, both at trial level and on appeal to the Federal Circuit.

In addition, Colter works with clients to prevent and resolve shareholder litigation related to mergers and acquisitions for public and private companies. He similarly advises clients on regulatory challenges regarding consumer financial services, including successfully resolving an enforcement proceeding by the CFPB.

Colter is an adjunct professor at the University of Cincinnati College of Law. Running the Sixth Circuit Clinic, he leads a team of attorneys and students to represent indigent prisoners. The clinic has an excellent record of success in difficult *habeas* cases. His other *pro bono* work includes representing the Republic of Italy in an *amicus* brief on international law that helped overturn the death sentence of an Italian national.

Colter is a frequent author and also writes for the Squire Patton Boggs *Sixth Circuit Appellate Blog*. He is recognized as a Rising Star in *Ohio Super Lawyers*, naming him one of the top 2.5% of Ohio lawyers age 40 or under or in practice for 10 years or fewer.

Prior to joining the firm, Colter was a law clerk to The Honorable Max Rosenn of the US Court of Appeals for the Third Circuit.

Experience

Appellate

- Obtaining vacatur of an international anti-suit injunction by the Eleventh Circuit that had prevented a Costa Rica-based client from proceeding with litigation in Costa Rica.

- Preserving a complete dismissal of a False Claims Act and product liability lawsuit against a major medical device manufacturer in the Sixth Circuit.
- Achieving reversal by the First Circuit of a trial court's refusal to require the parties to arbitrate in China, where the plaintiff sued a US subsidiary based on the parent company's actions in China.
- Successfully defending wins regarding copyright, trademark, and licensing claims on behalf of distributors throughout Latin America, including overturning injunctions against their use of the marks.
- Defending a research company against claims of trade secret misappropriation and breach of contract, and preserving a US\$22 million dollar win on a counterclaim for that company before the Ohio appellate courts and Ohio Supreme Court.

Trial Level

- Represented a US-based manufacturer of robotic surgical systems by obtaining dismissal of a False Claims Act complaint in the District Court and securing affirmance of the dismissal in the Sixth Circuit.
- Obtained a complete dismissal of a class action suit filed in California federal court against a manufacturer of popular utility software.
- Won judgment on a counterclaim representing a manufacturer of turbine engine parts in litigation involving claims of fraud across an international web of related companies.
- Obtaining dismissal of fraud claims in New York federal court based on Korean law on behalf of a Korean bank in litigation arising from the collapse of a Belgium-based company.
- Obtained summary judgment representing a machine tools manufacturer in litigation involving claims of fraud and misrepresentation.
- Represented a large medical device and diagnostics company in a product liability multidistrict litigation with potential liability in the hundreds of millions.
- Represented a large rental company in product liability cases involving trailers it designed and manufactured with potential damages in the millions for each case.

Resolving Conflicts Without Litigation

- Resolved a dispute involving intellectual property rights in Mexico for a manufacturer of nutritional and medical products.
- Advised a consumer financial services company in successfully defending an examination and threatened litigation by the Consumer Finance Protection Bureau.
- Resolved stockholder disputes related to freeze-out mergers.

Pro Bono

- Representing the Republic of Italy in an amicus brief on international law that helped overturn the death sentence of an Italian national in a habeas case in the Eleventh Circuit.
- Overturning a murder conviction and life sentence in a habeas case where a prosecutor knowingly used perjured testimony to obtain the conviction.
- Achieving reversal of a conviction in a habeas case based on the Double Jeopardy Clause.
- Obtaining reversal of murder conviction by Kentucky Supreme Court based on the trial court's failure to admit exculpatory evidence.
- Successfully obtaining reversals of prison sentences for various inmates – including after prior appellate counsel had filed an *Anders* brief

Credentials

Education

- Columbia University, J.D., editorial board, *Journal of Transnational Law*, 2004
- Brigham Young University, B.S., 2001

Admissions

- Massachusetts, 2005
- Ohio, 2007

Courts

- U.S. Ct. of App., Tenth Circuit, 2023
- U.S. Ct. of App., First Circuit, 2007
- U.S. Ct. of App., Third Circuit, 2006
- U.S. Ct. of App., Sixth Circuit, 2007
- U.S. Ct. of App., Eleventh Circuit, 2006
- U.S. Ct. of App., Federal Circuit, 2005
- U.S. Dist. Ct., S. Dist. of Ohio, 2007
- U.S. Dist. Ct., Dist. of Massachusetts, 2022

Expertise

Services

- Litigation

Publications

- Various posts to the Squire Patton Boggs [Sixth Circuit Appellate Blog](#) with analysis of the federal courts and trends in the law, including Daubert issues and products liability.
- Author, "Will a Judge Read My Brief? Prejudice to Pro Se Litigants from the Staff Attorney Track," *76 Ohio State Law Journal, Sixth Circuit Review* 1, April 2015.
- Author, "The Supreme Court Moves Toward Pragmatism On Separation of Powers Concerns In *Wellness Int'l Network Ltd. v. Sharif*," *Cincinnati Bar Association Report*, July 2015.
- Author, "The Supreme Court Keeps Its "Stern" Promise Not To Change Bankruptcy Court Jurisdiction," *Cincinnati Bar Association Report*, August 2014.
- Author, "*In re Bellingham Insurance Agency*: To "Protect" the Article III Jurisdiction of the District Courts, The Supreme Court May Radically Alter the Bankruptcy System (and Toss Out the Federal Magistrate System To Boot)," *Cincinnati Bar Association Report*, May 2014.
- Author, "Evaluating Contracts for Customized Litigation by the Norms Underlying Civil Procedure," *45 Arizona State Law Journal* 471, 2013. (This article explains why sophisticated parties rarely attempt to tailor litigation procedures to their interests and reduce litigation costs. It then explains how parties can draft such provisions to make customized litigation a reality.)
- Author, "The Supreme Court Signals the End of Class Arbitration and, Perhaps, Breathes New Life Into Class Action Waivers," *BNA Class Action Litigation Report*, 11 Class 817, 2010.
- Author, "Compliance with Final Judgments of the International Court of Justice Since 1987," *98 American Journal of International Law* 434, 2004.

About our firm

One of the world's strongest integrated law firms, providing insight at the point where law, business and government meet. We deliver commercially focused business solutions by combining our legal, lobbying and political capabilities and invaluable connections on the ground to a diverse mix of clients, from long-established leading corporations to emerging businesses, startup visionaries and sovereign nations. More than 1,500 lawyers in over 40 offices across four continents provide unrivaled access to expertise.