

Hon. Nancy Friedman Atlas



Senior United States District Judge Nancy Atlas was appointed to the bench in 1995 for the Southern District of Texas, Houston Division, and resigned in 2022. She gained prominence as a Member of the judicial Puerto Rico Insolvency Mediation Team from mid-2017 to December 2021. Judge Atlas served on the U.S. Judicial Conference Committee on Judicial Security from 2005 to 2015 as chair from 2010 to 2015. She also chaired the Southern District’s Alternative Dispute Resolution Program and Court Security Committee for most of her judicial tenure.

While on the bench, Judge Atlas co-founded the Atlas Intellectual Property Inn of Court in Houston, and presently serves as a judicial advisor. She has been active in the American Bar Association’s Section of Litigation on its governing council and in various committee leadership roles, where she has assisted in analysis of existing and proposed federal court rules and legislation, alternative dispute resolution, judicial ethics, and bankruptcy issues. She also is a member of the American Law Institute.

Before her judicial appointment, Judge Atlas clerked on the U.S. District Court for the Southern District of New York, was an Assistant United States Attorney in the Civil Division in that district, and handled complex commercial litigation in New York and in Houston, Texas. She also chaired the Texas Higher Education Coordinating Board from 1990 through 1994. She served as a council member of the State Bar of Texas Alternative Dispute Resolution Section and co-chaired the committee that drafted the Texas Ethical Guidelines for Mediators. Judge Atlas also co-founded, was a Director of, and Vice President of the Houston Chapter of the Association of Attorney-Mediators, Inc.

“Judge Atlas mediated a complicated trade secrets case. She came in very prepared, understood the technology, and found the soft spots in both parties’ positions. Seizing momentum, she held everyone’s feet to the fire for 21 straight hours. We settled at 5 am, thanks to her persistence.”

Areas of Expertise:

- ATTORNEY FEE
- COMMERCIAL LITIGATION
- CONTRACTS
- ELECTRONIC DISCOVERY
- INSURANCE/REINSURANCE
- INTELLECTUAL PROPERTY
- PATENT
- PRODUCT LIABILITY
- SECURITIES/FINANCIAL SERVICES
- TRADE SECRET
- TRADEMARK & COPYRIGHT

SIGNIFICANT CASES

Complex Contract:

- Berge Helene v. GE Oil & Gas – 08-2931 – #206 M&O on Daubert Motions 7/19/11, #230 M&O on Ms/SJ 11/16/11, #398 FFCL 9/30/12
- Motis Energy v. SWN Production Co. (oilfield mats) – 17-0962 – #78 M&O on M/PSJ 10/17/18, #89 M&O on Contractual Ambiguity 12/14/18, #142 M&O on M/New Trial 4/17/19, #143 M&O on M/Attorneys' Fees 6/13/19
- Quantlab v. Dempster (corporate governance agreements) – 18-2171 – #41 M&O on Ms/D 12/19/18, #42 M&O on Ms/D 12/21/18
- Hanmi v. SWNB Bancorp – 18-3546 – #33 M&O on M/D 2/26/19
- Moody National v. TIC Texas Two (investment contracts) – 19-0711 – #111 M&O on Dispositive Motions 3/6/20, #115 M&O on Dispositive Motions 4/27/20
- Fire Protection Service v. Survitec (life rafts) – 19-2162 – 68 M&O on M/Judgment 2/12/21, Case on appeal – question certified to Texas Supreme Court

Copyright:

- *Armour v. Knowles (Beyonce song) – 05-2407 – #126 M&O on Ms/SJ 9/21/06*
- *Farouk Systems v. FHI Heat (CHI heated hair brush) – 15-0465 – #28 M&O on M/D 6/22/15, #51 M&O on M/SJ 4/5/16, #68 M&O on M/Attorneys' Fees 10/14/16*
- *Federation of State Massage Therapy Boards v. Mendez Master Training Center, Inc. (licensing exam questions) – 17-2936 – #31 M&O on M/D 1/24/18, #73 M&O on M/D 8/14/18*

Patent:

- Bernardo Footwear v. Dillard's (design patent case) – 07-0963 – #82 M&O on Claim Construction 12/24/07, #83 M&O on M/PSJ (notice) 1/15/08, #98 FFCL 4/28/08
- Emtel v. Medaire, Inc. (videoconferencing with physician) – 11-3007 – #124 M&O on Claim Construction 4/12/16
- Deep Fix v. Marine Well Containment Co. (Deepwater Horizon – well containment system – inequitable conduct – failure to disclose known prior art references) – 18-0948 – #127 M&O on Claim Construction 4/24/19, #219 FFCL 2/18/20
- Tyger Manufacturing v. Mike's Worldwide (glass smoking pipe design) – 19-2856 – #46 M&O on Claim Construction 8/11/20 (on appeal)

Securities:

- *In re Superior Offshore International – 08-0687 – #92 M&O on M/D 1/12/09, #194 M&O on M/Class Certification (withdrawn by agreement)*
- *In re Cobalt International Energy, Inc. – 14-3428 – #108 M&O on M/D 1/19/16, #243 M&O on M/D Count III 6/15/17, #244 M&O on M/Class Certification 6/15/17, #273 M&O on M/R 8/23/17*

Trademark:

- David’s Bridal v. Yeh (bridal gowns) – 04-1072 – #51 M&O on Preliminary Injunction 5/20/04
- Farouk v. Target (Biosilk hair care products – packaging) – 06-1103 – #30 M&O on M/D (treated as M/SJ) 9/6/06
- Blue Bell Creameries v. Denali (Blue Bell Moo Tracks ice cream – Denali Moose Tracks) – 08-0981 – #49 M&O on Preliminary Injunction and Daubert 7/31/08
- Test Masters v. Robin Singh Educational Services (standardized test prep) – 08-1771 – #185 M&O on Dispositive Motions 4/5/13, #240 M&O on M/R 2/21/14

Employment:

- Aug. 1995 to Jul. 2022 United States District Judge for the Southern District of Texas, Houston Division (“Senior” status as of Jun. 2014; resigned as of Jul. 31, 2022)
- July 1982 to Aug. 1995 Director (1994-95) and Shareholder (1986–95), Sheinfeld, Maley & Kay, P.C., Houston, TX
- Feb. 1979 to Jun. 1982 Assistant United States Attorney, Southern District of New York (Civil Division), New York, NY
- Nov. 1976 to Dec. 1978 Webster & Sheffield, New York, NY
- Sep. 1974 to Sep. 1976 Law Clerk to the Honorable Dudley B. Bonsal, United States District Judge for the Southern District of New York, New York, NY

PROFESSIONAL ACTIVITIES

Committee Service in Judicial Capacity:

- Member/Leader, U.S. District Court, S.D. Tex. Local Patent Rules Amendment Working Group, 2000–Apr. 2022 (ended with Court approval of amended Local Patent Rules and Forms)
- Member, Puerto Rico Insolvency Mediation Team, mid-2017 – December 2021
- Analysis of applicability of Online Dispute Resolution in Federal Courts (with S.D. Tex. focus), Apr.– Jun. 2021
- Chair-Designate, Court Security Committee, U.S. District Court, S.D. Tex., ~ 2008-19; Chair, 2020- 21
- Chair, Houston Facility-Security Committee, U.S. District Court, S.D. Tex., 2007-21
- Chair, Judicial Security Committee (JSC) of the Judicial Conference of the United States, 2011-15 (appointed by the Chief Justice of the United States); Member, 2005-15; Chair, Budget and Finance Subcommittee, 2009-11; Chair, On-Site Judicial Security Subcommittee, Jun. 2008-11; Chair, Strategic Planning Subcommittee, 2007-08; Member, Executive Committee, 2007-15
- Member, Administrative Office of the U.S. Courts, Mandatory Initial Discovery Pilot Project, ~2019; Mandatory Initial Discovery Protocols (Disaster Cases), 2018

- Member, Administrative Office of the U.S. Courts, Information and Technology Advisory Committee, 2004-05
- Chair, Alternative Dispute Resolution Standing Panel for U.S. District Court, S.D. Texas (administers Court's ADR program), 1995-2019; Lawyer Member, 1992-95; Approved ADR Provider before judicial appointment, 1992-95
- Co-Chair, Patent Rules Committee, U.S. District Court, S.D. Texas, 2007 (drafted Local Patent Case Rules, adopted Oct. 2007)
- Chair & Member, Houston Courthouse Building Security Committee, 2007-21
- Member, Automation Committee, U.S. District Court, S.D. Texas, 2000-21
- Consultant, Fed. Judicial Center's Alternative Dispute Resolution Consultation Program, ~ 2002-04
- Mentor Judge, Federal Judicial Center, New Judges Orientation, ~ 2001 & 2006

AMERICAN BAR ASSOCIATION ACTIVITIES

Section of Litigation (partial list):

- Co-Chair, Task Force on Changing Legal Profession, Aug. 2021 – Aug. 2022
- Co-Chair, Access to Justice Committee, Aug. 2020 – Aug. 2021
- Council Member, 1998-2002, 2011-14
- Co-Chair, Council Committee for Bylaws, Resolutions and Blanket Authority
- Member, Implicit Bias Task Force, 2011-12
- Member, Attorney-Client Privilege Task Force, 2011-12
- Co-Chair, Section of Litigation Annual Conf., 2006-07
- Member, Task Force on Independence of the Judiciary, 2006-08
- Member, Task Force on Ethical Guidelines for Settlement Negotiations, 2000-02
- Member, Multi-Jurisdictional Practice Task Force, 2001-02
- Co-Chair, Federal Practice Task Force, 2003-04, 2014-~20; Member, ~2005-07, 2011-14; ex officio Member, 2007-10
- Task Force on Multi-Jurisdictional Practice (drafted the model Pro Hac Vice Rule adopted by ABA House of Delegates)
- Co-Chair, Task Force on Ethical Guidelines for Mediation, 2004-05 (worked on Ethical Guidelines for Settlement Negotiations, adopted by ABA House of Delegates)
- Co-Division Director, 1997-98, 2001-02
- Ex Officio Member, Discovery Task Force, 1997-98
- Co-Chair, Alternate Dispute Resolution Committee, 1994-95

- Vice Chair, Bankruptcy and Insolvency Committee, 1993-94
- Member, Task Force on Justice System, 1994-95

Other ABA Activities:

- Chair, Standing Committee on Federal Judicial Improvements, 2009-10; Member, 2007-09
- Program Chair, Judicial Division, National Conference of Federal Trial Judges, 2006-07
- Interviewer, ABA Commission on Women Oral History Project, Interviewed Carol Dinkins, 2005-07
- Patron Fellow, American Bar Foundation, 2022–present; Life Fellow, 2002-12; Fellow 1993-2002

State and Local Bar Activities:

Houston Intellectual Property Inn of Court, renamed Apr. 14, 2015 “The Honorable Nancy F. Atlas Intellectual Property Inn of Court”

- Co-Founder and “Judicial Counselor,” 2012-present
- Organizer, Twice-Annual Box-Lunch meetings with S.D. Texas Judges

Federal Bar Association, South Texas Region:

Judicial Liaison from the District Court to S. Tex. Region Fed. Bar Ass’n., 2008-12: assisted in communications with the Court, planning of five FBA annual dinners, addressing issues related to Chapter scholarships, and guiding Chapter CLE full-day and luncheon programs

State Bar of Texas Alternate Dispute Resolution Section:

- Section Council Member, 1992-95
- Co-Chair, Rules and Legislative Committee, 1992-93, Member, 1991-92
- Member, Working Group on ADR and Law Practice, 1997-2001
- Member, Working Group on Ethics of Advocates in ADR, 1998-2001
- Co-Chair, Quality of Practice Committee and Task Force on Quality and Credentialing for ADR Providers, 1993-95

Association of Women Attorneys:

- Member, 2011-present

Other Law & ADR-Related Organizations:

- Member, Texas Association of Mediators, Sept., 2022 – present
- Member, Center for Women in Law, 2018- present; “Champion,” 2019-present
- Member, American Law Institute, 2002-present
- Member, CPR Institute for Dispute Resolution, 1994
- Member, Board of Advisors, Univ. of Texas Center for Public Policy Dispute Resolution, 1993-95
- Director, Houston Bar Foundation, 1990-94

- Founder, Director and Vice President, Houston Chapter of Association of Attorney-Mediators, Inc., 1991-93; Treasurer, 1993-94, Honorary/Judicial Member, 1995-2022; Active Member, January 2023 – present
- Member, Advisory Board, A.A. White Dispute Resolution Institute, Univ. of Houston, 1990-95
- Member, National Association of Women Judges, 2001-07, ~ 2009
- Sustaining Life Fellow, Texas Bar Foundation, 1995-present; Fellow 1987-1995
- Fellow, Houston Bar Foundation

Miscellaneous Activities and Awards:

- Co-organizer, S.D. Texas Bench Bar Conferences, 2017 & 2019
- NYU School of Law, Judicial Advisor, Susman Civil Jury Project, 2018-22
- Women’s Power Summits, Center for Women in Law, Advisory Committee Member, 2019 & 2022
- Panel Member, National Workshop for Bankruptcy Judges, 2018
- Co-Founder and “Judicial Counselor,” Houston Intellectual Property Inn of Court, renamed Apr. 14, 2015 “The Honorable Nancy F. Atlas Intellectual Property Inn of Court,” 2012-present
- Recipient, Linn Inn Alliance Distinguished Service Medal, March 2015
- Recipient, Sarah T. Hughes Award, State Bar of Texas, Women & the Law Section, Jun. 2013
- “Appointment Program for Civil Attorneys in Capital Habeas Cases,” ~1992-2014: Created and managed program to facilitate appointment of counsel in capital habeas cases in federal and state courts.
- “Jury Innovation Project,” Houston, 2010-13: Formed and worked closely with a committee of lawyers, judges, and law school professors to test the efficacy of four innovations for managing jury trials, using ideas proposed by the American Bar Association’s “Jury Project.”
- “Media Alerts Project,” 2009-12: While serving on and chairing the ABA’s Standing Committee on Federal Judicial Improvements, co-led implementation of the Committee’s project in which a faculty member and groups of law students at one law school per circuit posted on an ABA website summaries of high profile federal courts of appeals decisions, which help explain appellate decisions to the public and lay press reporters.
- Recipient, “Scarsdale High School Distinguished Alumni Award,” Oct. 2008
- Recipient, “William M. Tandy Award for Public Service,” Robert B. Fiske, Jr. Association (former S.D.N.Y. Asst. U.S. Attorneys who served under former U.S. Attorney Robert Fiske), Apr. 2007
- Recipient, “Justice Frank G. Evans Award for Outstanding Service to ADR,” State Bar of Texas, 1997

- Recipient, “Trial Judge of the Year” Award, Texas Civil Trial and Appellate Specialists Assn., 2002
- Co-recipient, Brutsche Award (for personifying the principles of service and commitment to the ADR profession), Assn. of Attorney Mediators, 1999
- Chair, Texas Higher Education Coordinating Board (gubernatorial appointment), 1992-95
- Member, Texas Council on Workforce Competitiveness, 1993-95
- Member, Distinguished Panel of Texas Neutrals, International Institute for Conflict Prevention & Resolution (CPR Institute), ~ 1994-95
- Approved Arbitrator and Mediator, American Arbitration Assn., ~1994-95
- Recipient, “Women on the Move” Award, awarded by The Houston Post, KPRC-TV and Texas Executive Women, 1994 (given to 10 Houston women each year for their exceptional contributions to business and community service)
- Recipient, “10 Outstanding Members of 1993” Award, Assn. of Attorney-Mediators.
- Member, Government Relations Committee, Greater Houston Partnership, 1991-94
- Advisory Board Member, A.A. White Dispute Resolution Institute, 1990-95
- Co-Chair, “1991 Cattle Baron’s Ball” benefitting the American Cancer Society (ACS), 1991; Ball Finance Committee Member, 1991-95; Member, Executive Committee of VICTORY, the branch of Houston ACS that sponsored the event, 1991-92; Founding Member, VICTORY, 1988-2022
- Vice-President, American Jewish Committee, 1991; Treasurer, 1990; Chair of Black-Jewish Relations Committee, 1987-89; Board Member 1985-93
- Co-Chair and Dinner Coordinator, American Jewish Committee Institute of Human Relations Awards Dinner (honoring Governor Ann W. Richards), Jun. 1991
- Member, Community Relations Committee of the Jewish Federation of Greater Houston, 1990-92
- Board Member, Texas Appellate Resource Center, 1988-93
- Ann Richards Gubernatorial Campaign, Chair of Aug. 1990 Event (raised \$135,000); Co-Chair of Dec. 1990 Event (raised \$500,000+), Co-Organizer of Jun. 1992 Event (raised \$500,000+)
- Treasurer & Founding Member, One Hundred Women (1987-88) (organized 1000-person event and raised over \$120,000 for the Democratic National Committee’s Victory Fund)
- Member, Texas Attorney General’s Hospital Task Force, Houston Region, 1989
- Member, Advisory Board, Children’s Museum of Houston, 1988-92; Member, Corporate Gifts Campaign Committee, 1989-91; Member, Site Committee, 1989-90
- Board Member, Roberta Stokes Dance Company, 1984-89
- Member, Membership Committee of Congregation Emanu El, 1991-92; Congregation member, 1984-present

- Testified before Texas Senate and House Committees, 1989, regarding amendments to the Texas Deceptive Trade Practices Act; Co-author of articles and empirical study on same.
- Recipient, NYU School of Law “Criminal Law and Research Scholarship” (merit-based award), Summer 1972

BAR ADMISSIONS

- State Bar of Texas: after judicial resignation, reactivated as of Sept., 2022
- 1975 State of New York
- 1975 United States District Courts for the Southern and Eastern Districts of New York
- 1975 United States Court of Appeals for the Second Circuit
- 1980 United States Supreme Court
- 1981 United States District Court for the Northern District of Texas
- 1982 United States District Court for the Southern District of Texas
- 1982 United States Court of Appeals for the Fifth Circuit

Education:

- J.D., New York University School of Law (“NYU”) (1974)
- Honors: Annual Survey of American Law, Managing Editor, 1973/74; Arthur T. Vanderbilt Award (for Outstanding Service), Jun. 1974; Scholarship, Criminal Law Education & Research Center of New York, 1972
- B.S., Jackson College, Tufts University (1971) Honors: Phi Beta Kappa; Magna Cum Laude, Mathematics; Cum Laude, Political Science