



## K. Nichole Nesbitt

knn@gdlldlaw.com  
(410) 783-4026 (phone)  
(410) 783-4040 (fax)



Goodell, DeVries, Leech & Dann, LLP

Goodell, DeVries, Leech & Dann, LLP • One South Street • 20<sup>th</sup> Floor • Baltimore, Maryland 21202

## PROFILE

Ms. Nesbitt is a partner with the firm. Prior to her association with the firm, Ms. Nesbitt was a law clerk for the Honorable Jillyn K. Schulze, United States District Court for the District of Maryland. Her current practice concentrates on employment law, commercial litigation, civil rights defense, professional liability defense, and general insurance defense.

Ms. Nesbitt handles cases primarily before the United States District Courts for Maryland and the District of Columbia, the Circuit Courts of Maryland, and the Superior Court for the District of Columbia. She is responsible for all aspects of case management, including the development of case strategy, selection of expert witnesses, taking and defending of expert and fact witness depositions, and preparation of pleadings and motions. She has obtained summary judgment on behalf of numerous clients and has assisted in several jury trials resulting in defense verdicts.

Ms. Nesbitt is a member of the executive board of the Maryland Defense Counsel and serves as co-chair of its Young Lawyers Committee. She is also actively involved in the Defense Research Institute, a national organization of defense trial lawyers and corporate counsel, as a member of its Lawyers Professionalism and Ethics Committee.

## EDUCATION

University of Maryland, College Park (B.A., Criminal Justice, cum laude, 1996)

University of Maryland School of Law (J.D., Order of the Coif, 1999)

## COURT ADMISSIONS

- 1999 Court of Appeals of Maryland
- 1999 United States District Court for the District of Maryland
- 1999 United States Court of Appeals for the Fourth Circuit
- 2000 District of Columbia Court of Appeals
- 2003 United States Court of Appeals for the District of Columbia

## PROFESSIONAL ORGANIZATIONS

- American Bar Association
- Maryland State Bar Association
- District of Columbia Bar Association
- Baltimore City Bar Association, Young Lawyers Division
- Defense Research Institute
- Maryland Defense Counsel
- Maryland Society for Healthcare Risk Management

## SELECTED CASES AND DECISIONS

Jones v. R.I. Associates, LLC, United States District Court for the District of Columbia (June 2005). Obtained summary judgment for hotel in premises liability action. Plaintiff alleged that she was raped on the premises by a police officer who also worked as a security guard for the hotel. She contended that the hotel provided inadequate security on the premises and failed to adequately supervise its employees. The court determined that the incident was not reasonably foreseeable in light of the absence of prior employee misconduct or similar incidents on or around the premises.

Ebbecke v. Argyle Land Company, United States District Court for the District of Maryland (March 2005). Assisted in obtaining summary judgment for country club in breach of contract, defamation, and access to business records action. Plaintiff, a member of the country club and a member of its Board of Directors, alleged that she was improperly denied access to the country club's financial records. She further complained that she was defamed, improperly removed from a Board committee, and wrongfully suspended as a member after complaining about the operations of the club. The court determined that the plaintiff failed to establish any breach of contract and had been given sufficient access to relevant financial data. The court also found that the club was qualifiedly immune from the defamation allegations.

Moment v. United Rentals, Inc., United States District Court for the District of Maryland (June 2004). Obtained summary judgment for employer in discrimination / retaliation action. Plaintiff alleged that his employment was unlawfully terminated after he complained to federal and state authorities about alleged violations of occupational health and safety standards. The court held that the plaintiff's lack of success in pursuing his statutorily-provided remedies precluded him from suing under common law.

Arnold v. Jarrell, United States District Court for the District of Maryland (November 2002). Obtained summary judgment for correctional facility and correctional officer in excessive force action. Plaintiff alleged that, while a detainee, he was beaten and otherwise deprived of his liberties by a correctional officer. The court held that the plaintiff failed to show sufficient evidence of excessive force and that, in any event, his injuries were de minimis.

## PRESENTATIONS

"The Preservation and Production of Electronically-Stored Information: How It Affects Health Care Risk Managers,"  
Presentation to MedStar Health (December 2005)

"Charting in Obstetrical Cases," Mock Trial Presentation to Franklin Square Hospital Obstetrical Residency Program  
(December 2004)

"Separation Anxiety: Legal and Ethical Considerations for Employers," Federation of Defense and Corporate Counsel  
Seminar (July 2003)

"A Lesson in Charting," Mock Trial Presentation to St. Agnes HealthCare Grand Rounds (April 2003)

"Summary Judgment Motions in Employment Cases: A Defense Perspective," ABA Employment Law Seminar, University of  
Baltimore School of Law (February 2002)

"Federal Civil Actions Against Public Entities: Defending Claims Brought Under 42 U.S.C. § 1983," Presentation to The St.  
Paul Insurance Company (November 2001)

Panelist, National Conference for Law Review (2001)

## PUBLICATIONS

Associate editor, Practice Manual for the Maryland Lawyer, Maryland Institute for Continuing Professional Education of Lawyers, Inc., 2002 – Present

“Greater Than the Sum of Its Parts: Integrating Trial Evidence & Advocacy,” Clinical Law Review, Fall 2000 (assistant to authors Alan D. Hornstein and Jerome E. Deise)

## ACTIVITIES

Co-Chair, Young Lawyers Committee, Maryland Defense Counsel (2005 - Present)

Mentor to first year law students at the University of Maryland School of Law (2002 - Present)

Judge, Regional Intercollegiate Mock Trial Tournament (1999 - Present)