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Tom Nesbitt
Attorney Mediator Bio and Fee Schedule

BIOGRAPHY

Tom Nesbitt brings to his mediation practice 24 years of experience as a litigator and counselor. Board Certified in Labor & Employment law since 2007, Tom has had the unique experience of extensively representing both employers and individuals in a wide array of disputes such as covenants not to compete, trade secrets, breach of fiduciary duty, shareholder disputes, “business divorces,” breach of contract, general commercial litigation and employment discrimination and retaliation.

After graduating from the University of Texas School of Law with honors in 1998, Tom joined the Austin office of Fulbright & Jaworski L.L.P. (now known as Norton Rose Fulbright). In 2007, Tom partnered with Scott DeShazo in founding the Austin law firm of DeShazo & Nesbitt L.L.P.

Tom completed the 40-Hour Mediation Training program through the Center for Public Policy Dispute Resolution in June 2020. He is admitted to practice in the U.S. District Courts for the Western, Southern and Northern Districts of Texas and the U.S. Court of Appeals for the Fifth Circuit. He and his wife, Nancy, have two children.

EDUCATION

University of Texas School of Law, J.D., with honors (1998)

Baylor University, B.A. in English (1994)

PROFESSIONAL HONORS

Best Lawyers in America, 2008-2021

- 2019 Litigation-Labor & Employment Lawyer of the Year for Austin/San Antonio Region
- 2018 Employment Law, Individuals Lawyer of the Year for Austin/San Antonio Region
- 2016 Employment Law, Management Lawyer of the Year for Austin/San Antonio Region.

Super Lawyer, *Texas Monthly* magazine 2011-21

- 2016 Voted Top 100 Lawyers in Texas
- In 2012, 2014, 2015, 2016, 2017, 2018, 2019, 2020, and 2021 Voted Top 50 Lawyers in Central Texas Region (Austin, San Antonio, El Paso)

PROFESSIONAL ACTIVITIES

- Austin Bar Association
Local Rules Committee, Co-Chair (2005-06)
New Civil Courthouse Committee
- Breakfast with the Judiciary Series, Chair
- University of Texas School of Law Student Mentor Program

CIVIC INVOLVEMENT

- We Are Blood, formerly the Blood & Tissue Center of Central Texas, Director (2014-present)
- Baylor Alumni Association, now called Baylor Line Foundation, President (2015-2016)
- Susan G. Komen For the Cure Austin Affiliate, Director (2005-2007)
- Austin Area Research Organization, McBee Fellow (2006-2007)
- Leadership Austin Class of 2007
- Entrant, 2007 *Austin Chronicle* Hot Sauce Festival (honorable mention designation rejected; formal protest of results pending)

REPRESENTATIVE SPEECHES AND PRESENTATIONS

2022

- Trade Secret and Non-Compete Update – Co-presented with Carlos Soltero; University of Texas 29th Annual Labor and Employment Law Conference, May 5, 2022.
- Guest Lecturer on Pre-Trial Practice; University of Texas School of Law Advanced Civil Procedure Course, Spring 2022.

2021

- Guest Lecturer on Pre-Trial Practice; University of Texas School of Law Advanced Civil Procedure Course, Spring 2021.

2020

- What Phil Durst Tried to Teach Us About The Ethics and Effectiveness of Civility — Co-presented with Christopher Hahn; University of Texas 27th Annual Labor & Employment Law Conference, May 8, 2020.

2019

- A Fresh Look at Covenants Not to Compete – Co-presented with the great Phil Durst; Austin Bar Association Labor & Employment Section, June 6, 2019.

2018

- Reputational Risk: Managing Perceptions with Image Repair – Co-Presented with Jeff Hahn of Hahn Public Communications, The University of Texas School of Law, 25th Annual Conference on Labor & Employment Law, Austin, May 10-11, 2018.
- Guest Lecturer on Pre-Trial Practice; University of Texas School of Law Advanced Civil Procedure Course, spring 2018.
- Sexual Harassment Legal Trends and Compliance Guidance – City of Cedar Park Chamber of Commerce Guest Speaker, February 14, 2018.

2016

- “Texas Rule 91a,” State Bar of Texas Employment Law Continuing Legal Education Conference, Dallas, January 13, 2016.

2015

- “2015 Covenants Not to Compete Update,” The University of Texas School of Law, 22nd Annual Conference on Labor & Employment Law, Austin, May 12-13, 2015.
- “Everything You Ever Wanted to Know About Employment Law But Were Afraid To Ask,” Presented with U.S. District Judge Xavier Rodriguez at Austin Bar Association Bench Bar Conference, Austin, April 15, 2015.

2014

- “Damages in Employment Cases,” State Bar of Texas Continuing Legal Education Conference “Handling Your First (or Next) Employment Law Case, Austin, October 17, 2014.

2013

- “You Can’t Take That with You! (Or Can You?): Legal Update on Non-Competes, Non-Disclosure, Non-Solicitation and Confidentiality Agreements,” Austin Bar Association Labor & Employment Section Meeting, October 5, 2013.

Fee Schedule:

Full-Day **\$2,000 per party**

9:00 a.m. – 5:30 p.m.

Lunch included

Half-Day **\$1,000 per party**

9:00 a.m. – 1:00 p.m or

1:30 p.m. – 5:30 p.m.

(Additional time is invoiced at \$450/hour, divided evenly among the parties.)