

J. Philip Nester

Cleveland
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Overview

Phil's work focuses on transactional and regulatory issues across the transportation services and supply chain management continuum, where he represents users and providers, including manufacturers, distributors, retailers, carriers, brokers, intermediaries, forwarders, and managed transportation service providers in connection with general business consultation, regulatory compliance, drafting and negotiation of contracts, litigation, dispute resolution, enforcement defense, investigations, and audits. Phil's clients span the spectrum of market participants, so he works closely with clients' in-house counsel, business teams, and supply chain management colleagues to advise on the legal and regulatory impact of commercial, operational, and enterprise risks.

Phil has broad experience advising clients across all modes of transportation, but he regularly provides strategic legal, commercial, and operational guidance to clients who procure and provide services in the ocean transportation industry, including shippers, ocean transportation intermediaries, drayage carriers and inland service providers, and the steamship lines for the movement of cargoes in international trade as well as the domestic and noncontiguous trade of the United States. Phil has extensive experience counseling clients on maritime and admiralty law issues, ocean regulatory compliance, drafting and negotiating ocean transportation service agreements for all manner of cargoes, including containers, roll-on-roll-off, break bulk, specialty cargoes, and charters, managing and negotiation ocean bids, advising on processes and adjustments to general average and salvage claims, diversion claims, casualty matters, freight charge disputes, and cargo claims for loss, damage, or delay.

In addition to Phil's core transportation practice, he also represents corporate policyholders in resolving complex insurance coverage disputes. Phil regularly reviews existing policies and portfolios to assist clients with making additional placements or enhancements to their insurance coverage and he also develops claim strategies and advises clients about policy rights, coverage, complex risk transfer, and indemnification issues. Phil shapes, pursues, and negotiates claims for his clients and his approach to insurance practice is practical and proactive to resolve disputes and recover policy proceeds.

Representative Matters

- Representation of transportation entities and non-transportation entities seeking to register and undertake operations as NVOCCs and/or OFFs.
- Representation of NVOCCs and OFFs in risk management and risk prevention matters.
- Representation of ocean carriers/NVOCCs regarding maritime and multimodal contractual drafting and negotiations.
- Developed parallel legal and commercial approaches for a global supplier of natural ingredients, including organic, non-GMO, and conventional product lines to manage a multi-million dollar dispute involving demurrage and detention charges against several ocean carriers.
- Developed the strategic path forward and agreements for one of the world's leading vertically integrated producers, distributors, and marketers of fresh and fresh-cut fruits and vegetables achieve the sale of two foreign-flagged ocean vessels registered in the Cayman Islands.
- Addressed regulatory matters concerning the FMC and OTI (NVOCC and OFF) operating authority for a multimodal transportation services company.
- Reviewed, assessed, and drafted new house bills of lading for an NVOCC that operates as an American multinational shipping and receiving and supply chain management company.
- Represented an American multinational, pharmaceutical, and medical technologies corporation in drafting and negotiating Master Ground Transportation Services Agreements for freight brokerage services and motor carrier services throughout North America.

Credentials

EDUCATION

- Cleveland State University College of Law, 2013, J.D.
  - *Cleveland State Law Review*, Research Editor 2012-13; Associate Member 2011-12
- Virginia Tech University, 2009, Master of Arts, Philosophy, *cum laude*

- Miami University, 2007, Bachelor of Arts, Philosophy, *cum laude*
  - Dean's Scholar

BAR & COURT ADMISSIONS

- Ohio
- U.S. District Court for the Northern District of Ohio
- U.S. District Court for the Southern District of Ohio

Memberships

- Member, Ohio State Bar Association
- Member, Cleveland Metropolitan Bar Association
- Member, American Trucking Associations (ATA)
- Member, Transportation Lawyers Association (TLA)
- Member, TLA Admiralty and Maritime Transportation Committee

Awards & Recognition

- Named, 500 Leading Lawyers in Maritime, Admiralty & The High Seas, 2026
- Listed, *The Best Lawyers®*, Ones to Watch, Transportation Law, 2026-2027
- Listed, *Supply & Demand Chain Executive,* 2025 Pros to Know Award, Top Transportation Innovators

News & Insights

- J. Philip Nester Discusses Tariffs, Force Majeure and Liquidated Damages in The Construction Broadsheet
  November 4, 2026 | Media Mentions
- InterConnect Newsletter | Q3 2026
  October 20, 2026 | Newsletters
- Restrictions on Foreign Interests in the Transportation and Logistics Sector: A Look Ahead
  October 19, 2026 | Client Alerts & Insights
- Managing Risk When Terminating Vendor Relationships
  September 22, 2026 | Client Alerts & Insights
- 126 Benesch Attorneys Recognized in 2027 Best Lawyers® Rankings
  August 20, 2026 | Press Releases

- Benesch Partners Jonathan Todd and Philip Nester Named to 2026 Lawdragon 500 Leading Lawyers in Maritime, Admiralty & The High Seas
  July 15, 2026 | Press Releases
- Benesch Partners Jonathan Todd and Philip Nester Publish Greater Houston Port Bureau Article on Supply Chain and Legal Risks Amid Iran Conflict
  May 26, 2026 | Contributed Content & Presentations
- Iran Conflict - Global Shipping Risks Explained
  April 6, 2026 | Client Alerts & Insights
- InterConnect Newsletter - Q1 2026
  February 25, 2026 | Newsletters
- Leveraging In-Transit Freight Financing to Unlock Working Capital
  February 18, 2026 | Client Alerts & Insights

Speaking & Events

PAST EVENTS

- Emerging Insurance, Legal, and Operational Risks in Global Supply Chains | J. Philip Nester
  June 2, 2026 | Speaking Engagement
- Transportation & Logistics Regulatory Update | J. Philip Nester
  August 20, 2025 | Speaking Engagement
- Transportation Law 2024: Demurrage & Detention | J. Philip Nester
  October 22, 2024 - October 23, 2024 | Speaking Engagement
- Insurance Considerations for Supply Chains Amid Pandemic and War | J. Philip Nester, Jonathan R. Todd
  September 18, 2022 - September 21, 2022 | Speaking Engagement