

PARTNER

Nicholas J. Nesgos

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KEY SERVICES

Litigation

Business Litigation

EDUCATION

Connecticut College, BA, 1983

Cornell Law School, JD, 1988,
Cornell Law Review

MEMBERSHIPS

Boston Bar Association,
Massachusetts Practice
Committee Chair, 1999-2000

Frank J. Murray Inn of Court, Board
Member

Overview

Nick is a partner in the firm's Litigation Department. Nick has experience in a wide variety of litigation matters. His practice focuses on the prosecution and defense of complex business-related disputes including disputes among shareholders of closely held corporations. Nick frequently defends lawyers and law firms in legal malpractice actions. He also has experience in the areas of debtor/creditor and bankruptcy litigation, construction litigation, real estate and land use litigation, health care litigation, employment litigation, accounting malpractice and insurance coverage litigation.

In 1993 and 1994, Nick served as Special Assistant District Attorney in Suffolk County. He has extensive trial experience in state and federal courts.

Experience

- Represented minority shareholder of pharmaceutical company in a breach of fiduciary duty and Wage Act claim against majority shareholder. Obtained a judgment of over \$4.8 million after a three-week jury trial in the Business Litigation session of the Massachusetts Superior Court.
- Lead trial counsel to creditors committee in bankruptcy adversary proceeding challenging secured party claims and the validity and enforceability of liens. Amount in controversy exceeded \$550 million.
- Obtained federal court dismissal of claim against international law firm alleging that the law firm aided and abetted a Ponzi scheme.
- Represented energy brokerage company in suit against former minority owner and a competitor alleging unlawful diversion of brokerage customers. Obtained jury verdict in favor of client after a six-week jury trial.

- Successfully represented creditor seeking to enforce a security interest in sub-prime automobile dealer contracts that were not included in the granting language of a security agreement. After trial, court ruled in favor of creditor, holding that the parties' course of performance supplemented the language in the security agreement.
- Successfully defended environmental services company in multi-million dollar claim by company's customer alleging improper disposal of waste material in China.
- Represented publicly held bank in malpractice claim against accounting firm.
- Represented health care insurance company in dispute with hospital provider network over terms of capitation agreement.
- Represented real estate developer in successful trial defense of shareholder derivative claims brought by investors in development project.
- Represented Demoulas Super Markets and a shareholder of the company in various intra-corporate litigation.
- Defended HMO in claim brought by physician group which had been terminated from HMO provider network. Obtained summary judgment for HMO.
- Represented performing arts college in claims against construction contractor and construction management company. Obtained jury verdict for entirety of claimed amount.
- Defended major Boston law firm in \$50 million legal malpractice claim involving complex issues of state and federal bankruptcy law.
- Represented a consumer products company in \$7 million claim against electrical component supplier.
- Represented former employee in claim against employer arising out of employer's alleged breach of an equity sharing agreement. Obtained multi-million dollar settlement.

Recognitions

- Massachusetts Super Lawyer every year from 2008 – 2018

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- Auburndale Community Association, President