



# Nick Pompeo

He | Him | His

*Associate*

*Boston*

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## Education

- Case Western Reserve University School of Law, *Cum Laude*; *Health Matrix: Journal of Law-Medicine*, Note Editor, JD
- Wabash College, *Magna Cum Laude*, BA

## Practices & Industries

- Commercial Litigation
- Labor & Employment
- Torts & Products Liability Defense

## Admitted to Practice

- Massachusetts
- New York
- US Virgin Islands

## Court Admissions

- US Court of Appeals for the Third Circuit
- US District Court for the District of Massachusetts
- US District Court for the District of the Virgin Islands

## Biography

Nick concentrates his practice on commercial litigation matters, including representing businesses and insurance carriers in complex civil litigation, breach of contract litigation, federal civil RICO actions, and the defense of bad-faith and unfair and deceptive business practices disputes. Nick represents clients in all state and federal courts in Massachusetts, including on appeal in the Massachusetts Appeals Court and Supreme Judicial Court.

While living in the US Virgin Islands, Nick's practice included insurance law, insurance defense, commercial, employment, business, landlord-tenant, and real property litigation before both the territorial and federal courts of the US Virgin Islands. He has also represented clients on appeal before the Supreme Court of the Virgin Islands and the United States Court of Appeals for the Third Circuit.

## Bar Associations

- US Virgin Islands Bar Association

## Representative Experience

- Obtained the dismissal of a federal lawsuit against a former resort owner seeking damages and injunctive relief over alleged violations of an exclusive franchise agreement for taxicab services granted by the government. The dismissal was upheld on appeal to the United States Court of Appeals for the Third Circuit.
- Defended a national fast food chain franchisee in a charge before the National Labor Relations Board related to the negotiation of a collective bargaining agreement with a union.
- Represented an investor in a breach of contract action related to a dispute over the issuance of stock in a business.

- Represented national insurance carriers in RICO litigation against chiropractic clinics, their owners, and a law firm in federal court.
- Represented an insurance carrier in Massachusetts Superior Court in claims against auto body companies for violations of M.G.L. c. 93A § 11 and for fraud in connection with a scheme to inflate repair invoices.
- Obtained the dismissal of a lawsuit challenging the validity of a settlement agreement in Massachusetts Superior Court on the grounds of collateral estoppel.

## Prior Experience

- McGovern, Houston & Ganem, PC, Associate
- Law Office of W. Mark Wilczynski, PC, Associate
- A.J. Weiss & Associates, Associate
- Lawyers Clearinghouse, Post-Graduate Fellow

## Selected Media

- *Health Matrix: Journal of Law-Medicine*, “DNA to Play: Major League Baseball’s Use of DNA Testing on Central and South American Prospects in the Age of the Genetic Information Nondiscrimination Act of 2008”