Nicole Mastrocinque

She | Her | Hers

Associate

Syracuse

P: 315.425.2855

nmastrocinque@barclaydamon.com

Education

- Notre Dame University, *Cum Laude*, JD
- State University of New York at Stony Brook, *Magna Cum Laude*, BA

Practices & Industries

- Commercial Litigation & Complex Trials
- Construction & Surety
- Intellectual Property Litigation

Admitted to Practice

- New Jersey
- New York

Court Admissions

- US District Court for the Western District of New York
- US District Court for the Northern District of New York

Biography

Nicole concentrates her practice on complex litigation involving commercial disputes, intellectual property, and data privacy. She advises and represents a broad range of clients—from start-ups to Fortune 500 companies—in both state and federal courts.

With a strong litigation background, Nicole guides clients through a wide array of legal challenges. Her experience includes matters involving breach of contract, breach of fiduciary duty, fraud, tortious interference, director and officer liability, unfair competition, trade secret misappropriation, and licensing disputes. She also handles patent and trademark litigation in federal courts.

Nicole drafts litigation documents and dispositive motions from case commencement through judgment or settlement; negotiates pre-litigation resolutions; and presents oral arguments before both trial and appellate courts. She also has experience in alternative dispute resolution, including arbitration and mediation.

In the area of data privacy and cybersecurity, Nicole represents businesses facing first- and third-party losses arising from data breaches, service interruptions, theft, and other cyber threats. She defends companies in litigation stemming from data security incidents, including class action lawsuits.

Bar Associations

- Northern District of New York Federal Court Bar Association

Selected Memberships & Affiliations

- Barclay Damon’s Women’s Forum

Prior Experience

- US Customs and Border Protection, Office of Trade, Regulations and Rulings Department, Attorney-Advisor
- Economic Justice Clinic, Legal Intern
- Exoneration Project, Legal Intern
- Rivkin Radler LLP, Summer Associate
- US Attorney's Office, Eastern District of New York, Law Clerk

Selected Honors

- *Best Lawyers: Ones to Watch® in America*: Commercial Litigation, 2025–2027; Construction Law, 2026 and 2027
- Selected to *Super Lawyers* Upstate New York Rising Stars: Business Litigation, 2024–2025

Selected Speaking Engagements

- US Department of Commerce, Office of General Counsel, Commercial Law Development Program, "The Legal Framework of Informal Agency Rulemaking"

Selected Media

- *New York Law Journal*, "Who Decides If a Dispute Is Arbitratable?"
- *New York Law Journal*, Decisions of Interest, "Case Dismissed, Causes of Action Was 'Unintelligible Conspiracy Theory'"
- Kendall Hunt Publications, "Johnson & Johnson: A Crisis Over Baby Powder"