

Nick Pompeo

He | Him | His

Associate

Boston

P: 617.274.2918

npompeo@barclaydamon.com

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 & Complex Trials
- 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 a defense verdict in a New Hampshire Superior Court jury trial on behalf of a leading US real estate brokerage company in a highly contested dispute arising from alleged misrepresentations in a real estate transaction. The litigation spanned more than four years and involved claims between the buyers and sellers of the property.
- 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 Honors

- *The Best Lawyers in America*®: Litigation – Labor & Employment, 2025–2027

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”

Selected Alerts & Blog Posts

- First Circuit Affirms Summary Judgment on Implied Warranty Claim for Lack of Expert Testimony
- Massachusetts Federal Court Permits Sharing Clause in Protective Order in Products Liability Case