ArentFox Schiff LLP
Attorneys

Nicholas J. Nesgos

PARTNER

Nick is a Partner and heads the Complex Litigation practice in the Boston office.

Industries

Health Care
Automotive & Transportation
— Logistics

Practices

Complex Litigation
— Professional Liability
Real Estate
Trade Secrets, Noncompetes & Employee Mobility

Education

Cornell Law School, JD, Cornell Law Review, 1988
Connecticut College, BA, 1983

Offices	Phone	Email
Boston	617.973.6168	Nicholas.Nesgos@afslaw.com

Nick has practiced for over 32 years and has extensive trial and appellate experience representing clients in various industries. The focuses of his practice is the prosecution and defense of high-stakes, multiparty business disputes, including shareholder and partner disputes. Nick also has experience in the areas of employment non-compete and trade secrete disputes, wage and misclassification claims including class actions, intellectual property litigation, construction litigation, real estate litigation, health care litigation, legal and accounting malpractice, and insurance coverage litigation. Nick has briefed and argued numerous appeals including in the First Circuit. Nick also counsels clients on corporate governance matters and contract negotiation.

In 2025 the Massachusetts Supreme Judicial Court appointed Nick to serve a four year term as a member of the Massachusetts Board of Bar Overseers

In 1993 and 1994, Nick served as Special Assistant District Attorney in Suffolk County where he tried over 70 cases. Nick was previously a Partner at Posternak Blankstein & Lund LLP.

Client Work

- 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.
- Represented freight forwarders, motor carriers and property brokers in multiple wage and misclassification claims, including class actions. On behalf of motor carrier, successfully opposed plaintiff's motion to certify class of drivers in case alleging employee misclassification and withholding of compensation due for transporting "pooled" loads.
- Represented student in high profile disciplinary proceeding in which university alleged harassment of student group. Negotiated highly satisfactory and confidential resolution on behalf of student.
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Defended HMO in claim brought by physician group which had been terminated from HMO provider network. Obtained summary judgment for HMO under Federal Health Care Quality Immunity Act. Upheld by First Circuit on Appeal.

- Defended national wealth management firm in trade secret and non-compete litigation alleging damages of over $35 million
- Obtained summary judgment dismissal of $75 million federal court 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.
- Represented consumer products company in federal court patent litigation obtaining summary judgment of infringement
- 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 multi-million dollar malpractice claim against accounting firm, obtaining significant settlement in favor of client on day of trial.
- Represented health care insurance company in dispute with hospital provider network over terms of capitation agreement.
- Represented major Boston real estate developer in successful trial defense of shareholder derivative claims brought by investors in development project. Defense verdict upheld on appeal.
- Represented Demoulas Super Markets and a shareholder of the company in various intra-corporate litigation.
- 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 $multi- million dollar claim against electrical component supplier achieving favorable settlement at mediation.
- Represented former employee in claim against employer arising out of employer's alleged breach of an equity sharing agreement. Obtained multi-million dollar settlement.

Publications, Presentations & Recognitions

Nick has been recognized as a Massachusetts Super Lawyer every year from 2008-2020. Nick has also been recognized by *The Legal 500* (2023 & 2025) and *Best Lawyers* (2025-2027) .

Nick's publications include:

- "Fiduciary Duties in Massachusetts and Delaware Closely Held Corporations ," *Boston Bar Journal*, Co-Author, November 18, 2020

Memberships

- Massachusetts Board of Bar Overseers, Hearing Officer
- Boston Bar Association, Massachusetts Practice Committee Chair, 1999-2000
- Frank J. Murray Inn of Court, Board Member

Bar Admissions

Massachusetts