



## Nicole A. Westbrook

Shareholder

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### Summary

A former law clerk to a federal judge in the busiest trial court in the United States, Nicole's trial practice focuses on one thing: the success of her clients. Nicole works with dedication, tenacity and commitment to prevail in significant, high-stakes business disputes that others won't try. Nicole is experienced in representing businesses and individuals in complex business matters employing strategy and ingenuity to achieve outcomes that materially affect her clients' economic lives. Nicole tries complex business matters, representing both plaintiffs and defendants in commercial cases ranging from antitrust to fraud to stock market manipulation, complex contract disputes, and everything in between. Nicole has tried or argued matters in numerous federal and state courts and arbitration venues throughout the United States.

Nicole is rated by Super Lawyers Magazine as a Rising Star, has been recognized as an "Up and Coming Lawyer" and a "Compleat Lawyer" by Law Week Colorado. Nicole was also nominated "Forty Under Forty" by The Denver Business Journal.

### PRACTICE AREAS:

Litigation

### EDUCATION:

Vanderbilt University Law School, J.D.,  
2002

University of Wyoming, B.S., with  
honors, 1999

### LICENSED IN:

Colorado

### Specific Areas of Practice

Complex Commercial Litigation

### Significant Representations

- Lead attorney responsible for representation of a real estate investment group in a complex breach of lease agreement case concerning activities in five states against four corporate and five individual defendants, successfully securing a judgment of well over \$1 million for the client.
- Represented Colorado inventor in a high-stakes federal antitrust action against one of the largest medical companies operating in the United States.
- After achieving successful judgment for a large, national corporate client in the million dollar range, argued fraudulent transfer case and collected judgment on behalf of the client.
- Tried contract dispute case on behalf of real estate developer against a Colorado town for the town's failure to fairly treat the developer and accept the development according

- to the terms of agreement to successful resolution.
- Successfully defended international, publicly-traded Utah healthy foods company against defendant seeking more than \$1 million in damages for an alleged improper termination of contract through arbitration, earning the Utah corporation cost and fees while owing zero damages to the plaintiff.
- Arbitrated two separate disputes on behalf of a development company against individuals refusing to close the purchase of their downtown Denver luxury condominiums according to the terms of their purchase contracts.
- Argued dispositive motion and motion for expedited discovery to federal judge in Utah in representation of publicly-traded, multi-level marketing company on a novel legal theory seeking to stop a California company from manipulating the client's stock price by colluding with investors to short-sell the stock or take a futures position anticipating the drop in price after the public discovered the negative information created and disseminated by the defendant himself, successfully resolving the case in favor of the client.
- Represented inventor in misappropriation of trade secrets lawsuit.
- Represented numerous multi-level marketing companies in conjunction with FTC investigations.

#### **Honors / Distinctions**

- Colorado Rising Star 2009-2017
- Compleat Lawyer by Law Week Colorado 2010
- Up and Coming Lawyer by Law Week Colorado 2009
- Nominated Forty Under Forty by Denver Business Journal 2010

#### **Admitted to Practice Before**

- Tenth Circuit Court of Appeals
- Seventh Circuit Court of Appeals
- U.S. District Court for the District of Colorado
- U.S. District Court for the Western District of Texas
- U.S. District Court for the Eastern District of Wisconsin

#### **Professional and Community Affiliations**

- Colorado Bar Association
- Faculty of Federal Advocates
- Denver Metro Chamber of Commerce, LD Class 2008

#### **Awards**

