

Nicole Westbrook

SHAREHOLDER

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Nicole A. Westbrook: Trial-Tested. Client-Focused. Results-Driven.

One of the first questions clients ask is, “What can we expect?” Nicole A. Westbrook answers with clarity—drawing on more than 20 years of trial experience and a proven record in high-stakes business litigation.

Nicole brings sharp insight and relentless advocacy to complex cases involving theft of trade secrets, intellectual property disputes, defamation, and high-value commercial litigation. She has successfully tried cases before juries and judges in both federal and state courts, as well as in arbitration forums across the country. Whether representing plaintiffs or defendants, she is known for taking on cases that others won’t—and winning.

Nicole’s trial work is driven by a single purpose: achieving the best possible outcome for her clients. Her strategic approach combines innovative thinking with fearless execution, honed through years of battling in courtrooms over the most consequential business disputes. Her victories include restoring misappropriated IP to rightful owners and defeating hundreds of millions in claimed damages.

A passionate advocate for excellence in the legal profession, Nicole also trains the next generation of litigators as a faculty member with the National Institute for Trial Advocacy (NITA). She has earned national recognition for her trial skills, including:

- **Fellow**, Litigation Counsel of America (Proven Trial Lawyers)
- **Super Lawyer** honoree
- **Best Lawyers** recognition
- **AV Preeminent** rating by Martindale-Hubbell

Nicole doesn’t just try cases—she delivers results, builds trust, and fights to protect what matters most to her clients.

[Engage Nicole Westbrook to Speak](#)

Significant Representations:

1. Trade Secrets, Intellectual Property, Theft of Ingenuity:
 - In 2025, I successfully defended theft of trade secret allegations approaching \$150 million made against a closely held, independent company against a known-Goliath in the fiercely competitive oil and gas sector before a Denver District Court jury.
 - In 2024, I successfully protected a group of nearly 50 businesses from would-be corporate raiders

who intended to steal trade secrets and remove assets from the primary owners with a value estimated in the hundreds of millions of dollars.

- In 2023, I successfully litigated a trade secret case filed by a craft cocktail company against the designer of marketing materials and concept for a competing company.
- In 2022, I successfully tried a case for theft of trade secrets and misappropriation of business assets against a rogue business partner.
- Successfully defended a trade secret and civil conspiracy case in which the plaintiff, a nutraceutical company, sought millions of dollars from our client for allegedly stealing proprietary information and engaging in a competing business.
- Strategically and beneficially resolved theft of trade secret (client list) claims brought against a fitness franchisee during COVID.
- Litigated claims by a small, creative medical device manufacturer against the misappropriation of intellectual property by a global medical technology developer and supplier.
- Effectively resolved claims of misappropriation of intellectual property by an inventor against a publicly traded, global water technology firm.

2. Complex Business Litigation:

- Successfully arbitrated large commercial real estate case, winning a complete defense verdict; all five claims brought by plaintiff found to be unsubstantiated.
- Successfully represented an oil and gas company in a complicated breach of contract case with declaratory relief to obtain shares of the company wrongly sold by a unitholder of the company in violation of a right of first refusal contained in the LLC Agreement.
- Represented a minority holder in a closely held company that was subject to a complex merger that resulted in significant devaluation to the client's interest in the company.

3. Defamation:

- Represented party running for Colorado State public office in defense of a character trying to defame and extort money from the candidate.
- Sued a major television syndicate for defamation against a Colorado individual.
- Successfully defended a defamation claim before an Arapahoe County District Court jury brought by an heiress of a major frozen food throne against a disgruntled employee who published a truthful website critical of her.
- Obtained a preliminary and permanent injunction against a defamer wrongfully disparaging a medical professional for providing excellent service to his minor child.

Trial Attorney Theft of Trade Secrets, Intellectual Property, Complex Business Disputes, Defamation

- Theft of trade secrets, protecting your business's competitive advantage from would-be raiders, defending confidentiality and ingenuity
- Intellectual property litigation – protecting creations of the mind—such as inventions, brands, artistic works, and proprietary business information
- Defamation, reputational rehabilitation, First Amendment protection
- Breach of fiduciary duty between business partners, corporate shareholders or LLC unitholders and the business, corporation, or LLC, principal and agent, trustee and beneficiary, and derivative actions
- Civil conspiracy

- Commercial real estate litigation
- Contract litigation, including licensing agreements, buy-sell agreements, loan agreements
- Fraud, including securities fraud, embezzlement, tortious interference, omission of material facts, negligent misrepresentation, and fraudulent misrepresentation
- Tort litigation related to business issues, such as tortious interference with prospective business advantage and tortious interference with business
- Unjust enrichment, unfair advantage

Recent Publications, Engagements & Announcements

- Effective Depositions with Nicole Westbrook, an interview for The Litigation War Room (podcast)
- [Minding Litigation: Strategies for Document Drafting](#), Nicole Westbrook and Cash Parker, February 2022
- “Civil” Proceedings: Elevating the Legal Profession at Trial, Nicole Westbrook and Al Sahlstrom for LawPracticeCLE
- Drafting Business Contracts: Guiding Business Clients to Better Outcomes, Nicole Westbrook and Cash Parker for LawPracticeCLE
- [Nicole Westbrook on IT House Calls, Managing Clients and Subpoena Power](#), Nicole Westbrook interview for [Online Litigation](#) (podcast)
- [Fishy MLM Contract Provisions to Watch For](#), Nicole Westbrook and Al Sahlstrom
- [A Rookie Mistake and Cooperation in the Courtroom](#), Nicole Westbrook (Ed Lyons) for the National Institute for Trial Advocacy
- [Remote Arbitration Trial Skills with Nicole Westbrook](#), National Institution for Trial Advocacy instruction
- [Jones & Keller Attorneys Named to Super Lawyers and Rising Stars](#)
- [GameStop, Overstock and Barry Minkow: Justice in the Short Sale Squeeze?](#) Nicole Westbrook
- [Judge Alia Moses and Litigator Nicole Westbrook on Women in Law – On The Record](#), an interview spotlighting women in the legal field (podcast)
- [State of the Colorado Courts: What the Backlog Means for Trials in the Pipeline](#), Nicole Westbrook for the National Institute for Trial Advocacy
- [Women in Law with Judge Alia Moses and Nicole Westbrook](#), National Institute for Trial Advocacy (podcast)
- [Insights: It’s Time to Address the Gender Divide in Law](#), by Judge Alia Moses and Nicole Westbrook, as featured in Bloomberg Law
- Drafting Business Contracts: Advice From Litigators to Prevent Ambiguity, hosted by Nicole Westbrook and Cash Parker for Strafford Publishing, August 2020
- [Insights: Fighting the Equalizing Effects of Remote Arbitration](#), by Nicole Westbrook, as featured in Bloomberg Law
- Business Document Drafting from a Litigation Perspective, a webinar for drafting contracts that will stand up in the court. Hosted by Nicole Westbrook and Cash Parker for the Colorado Bar Association, May 2020
- “CO Hemp Clone Farm, “National Hemp Exchange”, Used Client’s Money for Own Investment Purposes,” Nicole Westbrook quoted based on litigation, [Cannabis Law Report](#)
- [“Winning In Arbitration: From Agreement to Trial,”](#) Bloomberg Law, January 2020
- “Rocky Mountain Deposition Skills,” National Institute for Trial Advocacy, December 2019, December 2018
- [“This New Colorado Law Champions Free Speech“](#), ColoradoBiz, June 2019
- “Trial Skills with the Catholic Legal Immigration Network,” National Institute for Trial Advocacy, July 2019

HONORS & DISTINCTIONS

- Fellow of the Litigation Counsel of America (“Proven Trial Lawyers”)
- Best Lawyers in America®, Litigation – Real Estate Law, 2024, 2025, 2026
- Best Lawyers in America®, Corporate Law, 2026
- Super Lawyers®, 2021-2026 (Rising Stars®, 2009-2017)
- Martindale Hubble AV-Preeminent
- Instructor, National Institute for Trial Advocacy (NITA)
- 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

PROFESSIONAL & COMMUNITY AFFILIATIONS

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

ADMISSIONS

- 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 Eastern District of Texas
- U.S. District Court for the Western District of Texas
- U.S. District Court for the Eastern District of Wisconsin

LICENSED IN

Colorado

EDUCATION

Vanderbilt University Law School, J.D.

University of Wyoming, B.S., with honors

PRACTICE AREAS

Trade Secret and Intellectual Property Litigation

High-stakes Business Litigation

Defamation

BADGES





Martindale-Hubbell

