



Todd & Weld LLP

Nicholas B. Carter

Partner

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A veteran trial lawyer, Nick Carter has obtained multiple seven-figure jury verdicts on behalf of clients.

Nick Carter knows his way around the courtroom. With nearly three decades of trial experience in state and federal courts, his successful courtroom advocacy has led to multiple seven-figure jury verdicts for clients, as well as favorable outcomes through dispositive motions, arbitration results, and settlements.

A partner at Todd & Weld, Nick has a strong record of litigation success in a vast array of matters, including complex business disputes, employment discrimination claims, financial fraud claims, defamation, and real estate disputes.

Recent examples of Nick's courtroom success include obtaining a:

- **\$2 million federal jury verdict** after a three-week trial in favor of a high-ranking female Boston Police detective for gender bias, retaliation, and hostile work environment after she lodged gender bias accusations against a male supervisor.
- **\$1.5 million jury verdict** after a two-week trial in federal court on behalf of a law enforcement official for job discrimination and defamation; the jury awarded significant punitive damages.
- **\$4.4 million jury verdict** in state court on behalf of two estates seeking the return of inheritance money in an investment account, where the jury found that a financial advisor and a deceased man's nephew had conspired to secretly divert the account funds; the jury awarded significant punitive damages.

Nick's track record has earned him high regard in the trial bar, as exemplified by his selection to *Best Lawyers in America* for commercial litigation, which selection is based on peer-review evaluations. He has been frequently named to Massachusetts *Super Lawyers* for general litigation.

Nick is conversant in Spanish and French.

Practice Areas

- Business Litigation
- Employment Law and Litigation
- Civil Rights Litigation
- Personal Injury
- Class Action/Mass Tort Litigation
- Media, First Amendment, and Defamation Law

Representative Results

Business Litigation

- After a week-long trial, obtained a verdict in favor of his client that required a company to purchase a business subject to a signed \$1.4 million purchase and sale agreement.
- During empanelment for an anticipated 4–5-week jury trial, successfully settled a complex business dispute on behalf of his clients – a network of closely held family-owned companies, the founder, and the majority shareholders – who sought the return of more than \$2 million in compensation after the former president and director breached his fiduciary duty to the company.

Elder Abuse/Financial Fraud

- Obtained a **\$4.4 million jury verdict** in state court on behalf of two estates seeking the return of inheritance money in an investment account, where the jury found that a financial advisor and a deceased man's nephew had conspired to secretly divert the account funds; the jury awarded significant punitive damages.

Employment Litigation

- Persuaded a Massachusetts Superior Court judge to deny the request of a salesman for a class action arbitration against his former auto dealership employer.
- Secured a defense verdict after federal trial on behalf of a closely held corporation, defeating a \$5 million claim for additional insurance benefits by a senior executive.
- Persuaded an arbitrator to enforce a 10-year non-solicitation and non-disclosure agreement on behalf of his clients.
- Successfully defended a group of medical device sales representatives against a major medical device manufacturer, which sought a preliminary injunction to prevent the individual sales representatives from joining a competitor.
- Secured a significant settlement for clients asserting race and gender discrimination claims against a municipal entity.

Insurance Coverage

- Prevailed in a complex insurance coverage dispute against an insurance company on behalf of a restaurant franchisee, who faced more than \$4 million in exposure relating to catastrophic personal injuries suffered on the business premises.

Premises Liability

- In a rare Bristol County Superior Court verdict for a plaintiff, persuaded a jury to find for his client against a nightclub where his client had been assaulted.

Religious Institution Litigation

- In a case related to the control of a Beacon Hill church and its \$30 million building, persuaded a judge to rule that the senior pastor and one church faction had wrongfully seized control of the church in violation of the Church's bylaws, which ruling led to a successful, global settlement of pending claims and counterclaims in federal and state court.
- In related litigation, persuaded the Supreme Judicial Court to uphold the ownership rights of the Beacon Hill church after it disaffiliated from the national organization of Swedenborgian churches.

Real Estate Litigation

- Persuaded a Massachusetts Superior Court judge to deny a hotel operator's preliminary injunction request in a lease dispute based on the operator allowing the property to fall into disrepair.
- Obtained a [\\$1.4 million arbitration award](#) on behalf of a seller in a dispute over the thwarted sale of a Rhode Island nursing home.
- Following a four-day bench trial, obtained a judgment requiring the sale of a Dunkin' Donuts franchise location to their clients.

Personal Injury

- Following a six-week jury trial, obtained a \$2 million verdict on behalf of a physically abused autistic child against a school's medical director and various administrators who had failed to supervise the child's teachers, and against the several teachers who had committed the abuse.

Experience

- Todd & Weld LLP, 1997 to present
- Hale and Dorr LLP, Boston, Massachusetts, 1993-1997
- Law Clerk, U.S. District Judge A. David Mazzone, Boston, Massachusetts, 1992-1993

Bar Admissions

- Massachusetts, 1992
- Maryland, 1993

- U.S. Court of Appeals, First Circuit, 1992
- U.S. District Court, Massachusetts

Education

- Boston College Law School (J.D., *magna cum laude*, 1992)
- Harvard University (B.A., *magna cum laude*, 1987)

Professional Activities

- Boston Bar Association
- Massachusetts Bar Association, Access to Justice Section Council Member (2016-2017)
- Trial Advisor to the Harvard Trial Advocacy Workshop

Publications/Presentations

- MCLE, Panel Moderator, "Religious Organization Law," February 2019
- Co-author, Discovery Motions chapter in Massachusetts Superior Court Civil Practice Manual, 6th ed. 2023 (MCLE)

Honors and Awards

- Named to *Best Lawyers in America* in Commercial Litigation, 2018-2025
- Named to 2021 *Super Lawyers* Top 100 Attorneys in Massachusetts
- Named to Massachusetts *Super Lawyers* for General Litigation, 2009-2024
- AV Rating in Martindale-Hubbell

In the Community

- Warden, Trinity Parish Newton (Episcopal), 2011-2017, 2021-present
- Member, Board of Directors, Haiti Projects
- Vestry, Trinity Parish Newton (Episcopal), 2008-2011
- Standing Committee, Episcopal Diocese of Massachusetts, 2007-2011

News & Insights

- Nick Carter offers insights in news article on Instagram addiction suit before SJC
- Nick Carter provides commentary on recent federal court decision dismissing personal injury claim of casino patron
- Nick Carter in news article assesses suit against law firm for alleged breach of robocall class-action settlement

- Firm attorneys contribute to civil litigation practice manual
- Nick Carter offers expert analysis on MA Appeals Court decision allowing trip-and-fall case to proceed despite 'trivial' defect
- 30 Todd & Weld attorneys named 2022 Massachusetts Super Lawyers and Rising Stars
- Nineteen Todd & Weld attorneys named to 2023 Best Lawyers in America
- Nick Carter comments on court decision concerning medical causation in personal injury case
- 30 Todd & Weld attorneys named 2021 Massachusetts Super Lawyers and Rising Stars
- Nick Carter, Howard Cooper, Ingrid Martin, and Gary Todd named to 2021 Top 100 Super Lawyers List
- Sixteen Todd & Weld attorneys named to 2022 Best Lawyers in America
- Nick Carter comments in news article on potential jury vaccine mandates
- 30 Todd & Weld attorneys named 2020 Massachusetts Super Lawyers and Rising Stars
- Seventeen Todd & Weld attorneys named to 2021 Best Lawyers in America
- Firm win denying class action arbitration featured in MA Lawyers Weekly
- 31 Todd & Weld attorneys named 2019 Massachusetts Super Lawyers and Rising Stars
- Fifteen Todd & Weld attorneys named to 2020 Best Lawyers in America
- \$4.8M jury verdict obtained by Nick Carter, Matt Furman featured in RI Lawyers Weekly
- Nick Carter to moderate program on religious organization law
- 30 Todd & Weld attorneys named 2018 Massachusetts Super Lawyers and Rising Stars
- Fourteen Todd & Weld attorneys named to 2019 Best Lawyers in America
- Firm files race, gender bias suit against Boston Water and Sewer Commission
- Nick Carter quoted in Mass. LW article on 'self-critical analysis' discovery privilege
- Todd & Weld attorneys recognized in New England's Best Lawyers publication
- Nick Carter quoted in news article on appeal of \$1.5M verdict for client
- 24 Todd & Weld attorneys named 2017 Massachusetts Super Lawyers and Rising Stars
- Ten Todd & Weld attorneys named to 2018 Best Lawyers in America

Results

- Nick Carter, Luci Passanisi obtain \$325K employment retaliation, age bias settlement
- Firm obtains \$2.4M gender bias settlement with Boston Police Department
- Firm obtains \$2M gender bias verdict for female Boston Police detective
- Firm obtains arbitration win for auto dealer involving employee non-solicitation breach
- Court affirms \$2M gender bias verdict for Boston Police officer
- Nick Carter, Luci Passanisi obtain \$2M gender bias verdict for female Boston Police detective
- Nick Carter, Matt Furman defeat preliminary injunction request in commercial lease dispute
- Judge rejects car salesman's request for class action arbitration

- Nick Carter, Suzanne Elovecky obtain \$1.4M arbitration award in nursing home sale dispute
- Nick Carter, Matt Furman obtain \$4.8M jury verdict in elder abuse case
- Firm obtains two Top Ten largest 2017 jury verdicts in Massachusetts
- Nicholas Carter and Benjamin Wish win appeal requiring sale of franchise location to clients
- Nick Carter, Suzanne Elovecky persuade court to deny preliminary injunction in real estate dispute