



John G. Nicolich

Partner

Commercial Litigation

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Profile

John G. Nicolich has an active litigation practice, representing both plaintiffs and defendants in a broad range of commercial disputes at trial level and in appellate courts.

John's commercial litigation practice covers a wide array of matters, including for example, the prosecution or defense of claims for fraud, breach of contract, and breach of fiduciary duty, disputes concerning real property tax assessments, and class action claims.

Prior to joining Ingram, John was a partner at Shea & Gould and subsequently was a partner at LeBoeuf, Lamb, Greene & MacRae, LLP and Dewey & LeBoeuf, LLP.

Admissions

- United States Supreme Court
- United States Court of Appeals for the Second Circuit
- United States District Courts for the Southern and Eastern Districts of New York
- New York State Bar

Education:

- J.D., Cornell Law School
- B.A., Cornell University

Representative Matters

- Representation of public authority concerning occupation of city sidewalk needed for construction of transit improvements. Matter of Trinity Hotel, LLC v. Metropolitan Transportation Authority, 191 A.D.3d 448 (NY 1st Dep't 2021).
- Representation of energy company defending a class action brought by persons who suffered power outages as a result of Hurricane Sandy. Matter of Long Island Power Authority Hurricane Sandy Litigation, 165 A.D.3d 1138 (NY 2d Dep't 2018).
- Representation of limited partner in connection with arbitration of real estate partnership dispute. N.J.R. Associates v. Tausend, 19 N.Y.3d 597 (New York Court of Appeals 2012).

- Representation of an investor in litigations alleging claims of fraud and breach of fiduciary duty related to investments in a Singapore telecom company. *Freeford Ltd. v. Pendleton*, 53 A.D.3d 32 (NY 1st Dep't 2008).
- Representation of several power plant owners in a number of proceedings challenging real property tax assessments against nuclear, coal, and hydroelectric generating stations; a judgment following trial saved one client more than \$350 million in taxes assessed against the Susquehanna Nuclear Power Station. *In re PPL, Inc.*, 838 A.2d 1 (Pa. Commw. 2003).
- Representation of utility company in two lengthy trials challenging real property tax assessments against the Shoreham Nuclear Power Station, resulting in a judgment that exceeded \$1 billion in favor of the utility. *Matter of Long Island Lighting Co. v. Assessor*, 202 A.D.2d 32 (NY 2d Dep't 1994) and *Matter of Long Island Lighting Co. v. Assessor*, 246 AD.2d 156 (NY 2d Dep't 1998).
- Representation of client in a mandamus proceeding successfully challenging a federal judge's ruling that documents were not protected by the attorney-client privilege. *In re Long Island Lighting Co.*, 129 F.3d 268 (2d Cir. 1997).
- Representation of defendants in RICO Act class action that included two-month jury trial. *County of Suffolk v. Long Island Lighting Co.*, 907 F.2d 1295 (2d Cir.1990). Federal judge Jack B. Weinstein praised defense counsel as having "tried this case as well as I have ever seen any case tried" (*New York Law Journal*, December 8, 1988, p. 2, col. 4).
- Representation of a regulated utility in litigations challenging legislation authorizing the proposed acquisition of the client by New York State and Suffolk County. *Long Island Lighting Co. v. Cuomo*, 666 F. Supp. 370 (N.D.N.Y. 1987), vacated, 888 F.2d 230 (2d Cir. 1989); *Long Island Lighting Co. v. County of Suffolk*, 119 A.D.2d 128 (NY 2d Dep't 1986).