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## NICOLA GELORMINO

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WARGO & FRENCH LLP  
201 S. BISCAYNE BLVD.  
SUITE 1000  
MIAMI, FLORIDA 33131  
305.777.6070 *DIRECT DIAL NUMBER*

### **Practice Areas:**

Ms. Gelormino practices in the following areas:

Complex Commercial Litigation  
Construction Litigation  
Financial Services Litigation  
Lender Liability

### **Representative Matters:**

- Counseled corporate owner on dispute with its general contractor on issues involving payments, delay, and defects associated with engineering, construction management, and general services performed by contractor in connection with a \$140 million industrial project.
- Successful defense of high-end general contracting firm against summary judgment claim in complex construction litigation case by lender's successor-in-interest seeking to foreclose construction liens and defense of contractor in separate action involving enforcement of statutory construction liens.
- Defended subcontractor in federal court action by lender-developer seeking indemnification for liability on construction and design defect claims including breach of implied warranties and building code violations.
- Represented general contractor and its qualifying agent in arbitration proceeding involving claims by owners against contractor and its qualifying agent, individually, for misappropriation of construction funds, and for claims against qualifying agent, individually, for fraudulent lien and breach of contract.
- Handled certain aspects of representation of developer in bid protest litigation alleging claims for failure to comply with Federal, State, and local competitive bidding statutes or procurement laws.

- Obtained preliminary injunctive relief on behalf of publicly-traded company enforcing non-solicitation, non-competition and confidentiality restrictive covenants against former employees.
- Handled various aspects of federal and state court cases in multi-state restrictive covenants and trade secrets litigation, including obtaining dismissal of whistleblower, discrimination and other claims.
- Involved in various aspects of unfair competition and trade secrets litigation between industry-leading competitors.
- Defended banks and national financial services organizations in state and federal court actions by customers asserting violations of the Truth-In-Lending Act (“TILA”), the Fair Credit Reporting Act (“FCRA”), the Fair Debt Collection Practices Act (“FDCPA”), Telephone Consumer Protection Act (“TCPA”), Real Estate Settlement Procedures Act (“RESPA”), and various other federal and state consumer protection statutes.
- Defended lenders and national financial services organizations in adversary proceedings by borrowers asserting mortgage-related claims, including allegations of wrongful foreclosure, slander of title, and state mortgage statute violations.

### **Education:**

**University of Miami School of Law**, Miami, Florida  
J.D., *summa cum laude*, 2011

#### **Honors & Activities:**

*University of Miami Business Law Review*, Editor-in-Chief  
Top 4% of graduating class  
Outstanding Merit Scholarship Recipient  
James E. Doyle Scholarship Award

**University of Miami**, Miami, Florida  
B.B.A., *cum laude*, 2005

#### **Honors & Activities:**

Double Major: Finance and Marketing  
*School of Business Peer Counseling Program*, Peer Counselor, Team Leader  
University of Miami School of Business Honors Program  
Golden Key International Honor Society  
National Society of Collegiate Scholars

### **Professional Activities:**

- Member of the American Bar Association Forum on Construction Law
- University of Miami, Citizens Board

- Big Brothers Big Sisters of Greater Miami, Miracle Society
- Leadership Miami, Class of 2007-2008
- Commercial Real Estate Women Miami (CREW): Careers Committee, Chair and Co-Chair, 2006-2008

**Bar and Court Admissions:**

- State Bar of Florida
- Admitted to practice before the United States District Court for the Southern and Middle Districts of Florida