

# NORTH CAROLINA

## Local litigation firms

### Highly recommended

Brooks Pierce McLendon Humphrey & Leonard

Ellis & Winters

McGuireWoods

Moore & Van Allen

Robinson Bradshaw & Hinson

Smith Anderson Blount Dorsett Mitchell & Jernigan

Womble Carlyle Sandridge & Rice

### Recommended

Hunton & Williams

K&L Gates

Manning Fulton

Parker Poe Adams & Bernstein

Smith Moore Leatherwood

Williams Mullen

## Local litigation stars

### Catharine Biggs Arrowood

Parker Poe Adams & Bernstein  
Antitrust, Commercial, Intellectual Property

### Louis A Bledsoe

Robinson Bradshaw & Hinson  
Commercial

### Martin Brackett, Jr

Robinson Bradshaw & Hinson  
Personal Injury & Wrongful Death, White Collar Crime

### Garland Cassada

Robinson Bradshaw & Hinson  
Bankruptcy

### James Cooney III

Womble Carlyle Sandridge & Rice  
Appellate, Commercial, Criminal, Medical Malpractice

### Peter Covington

McGuireWoods  
Antitrust, Banking, Business, Commercial, Regulatory

### J Donald Cowan, Jr

Ellis & Winters  
Commercial, Intellectual Property, Product Liability

### William Davis

Bell Davis & Pitt  
Business, Commercial

### Richard Ellis

Ellis & Winters  
Business, Commercial, Medical Malpractice, Product Liability

### Douglas Ey, Jr

McGuireWoods  
Antitrust, Banking, Business, Commercial, Product Liability

### Robert Fuller

Robinson Bradshaw & Hinson  
Commercial, Construction, Government & Internal Investigations, Securities, Shareholder Rights

### Edward Hennessey IV

Robinson Bradshaw & Hinson  
Construction, Investment Banking, Real Estate

### Sally Higgins

Higgins Law Firm  
Business

### Edward Hinson, Jr

James McElroy & Diehl  
Civil, Criminal

### Charles Johnson

Robinson Bradshaw & Hinson  
Commercial, Employment

### M Keith Kapp

Williams Mullen  
Commercial

### Douglas Kenyon

Hunton & Williams  
Antitrust, Commercial, Intellectual Property, White Collar Crime

### Bradley Kutrow

McGuire Woods  
Business torts, Intellectual Property, Product Liability, Securities

### A Ward McKeithen

Robinson Bradshaw & Hinson  
Civil

### James McLoughlin, Jr

Moore & Van Allen  
Civil, Criminal, Corporate Governance, Healthcare, Internal Investigations, Securities,

### Michael Medford

Manning Fulton  
Business

### Kiran Mehta

K&L Gates  
Business, Commercial, Construction, ERISA, Product Liability

### Mark Merritt

Robinson Bradshaw & Hinson  
Antitrust, Business, Class Actions, Securities

### Thomas Myrick

Moore & Van Allen  
Business

### Raymond Owens

K&L Gates  
Civil, Commercial, Criminal, Insurance

### Carl Patterson, Jr

Smith Anderson Blount Dorsett Mitchell & Jernigan  
Commercial, Securities

### Paul Peralta

Moore & Van Allen  
Commercial, Employment

### Jim Phillips, Jr

Brooks Pierce McLendon Humphrey & Leonard  
Business, Professional Liability, Securities

### Mark Prak

Brooks Pierce McLendon Humphrey & Leonard  
Media

### William Raper

Womble Carlyle Sandridge & Rice  
Civil, Commercial

### Alice Carmichael Richey

Alice Carmichael Richey  
Commercial

**William Rikard, Jr**

Parker Poe Adams & Bernstein  
Antitrust, Civil, Intellectual Property, Product Liability

**Matthew Sawchak**

Ellis & Winters  
Antitrust, Appellate, Business

**Christopher Smith**

Smith Anderson Blount Dorsett Mitchell & Jernigan  
Appellate, Business, Environmental, Trade Secret

**Elizabeth Davenport Scott**

Williams Mullen  
Banking, Health Care, Insurance, Product Liability

**Donald Tucker, Jr**

Smith Anderson Blount Dorsett Mitchell & Jernigan  
Commercial, Contract, Securities

**Camden Webb**

Williams Mullen  
Bankruptcy, Financial Services

**John R Wester**

Robinson Bradshaw & Hinson  
Class Action, Commercial, Employment, Securities

**James Williams, Jr**

Brooks Pierce McLendon Humphrey & Leonard  
Business

**David Wright III**

Robinson Bradshaw & Hinson  
Class Action, Commercial, Employment, Insurance,  
Product Liability, Securities

**Future stars**

Heather Adams  
Smith Anderson Blount Dorsett Mitchell & Jernigan

Robert C Bowers  
Moore & Van Allen

Clifton Brinson  
Smith Anderson Blount Dorsett Mitchell & Jernigan

Richard Coughlin  
Smith Moore Leatherwood

Kearns Davis  
Brooks Pierce McLendon Humphrey & Leonard

Christina Douglas  
Womble Carlyle Sandridge & Rice

Melanie Black Dubis  
Parker Poe Adams & Bernstein

Alton Gwaltney III  
Moore & Van Allen

Brian Heslin  
Moore & Van Allen

Thomas Holderness  
Robinson Bradshaw & Hinson

James Jeffries  
Moore & Van Allen

Valecia McDowell  
Moore & Van Allen

Scott Tyler  
Moore & Van Allen

Jennifer Van Zant  
Brooks Pierce McLendon Humphrey & Leonard

Angelique Vincent  
Robinson Bradshaw & Hinson

Judson Welborn  
Manning Fulton

Jeffrey Young  
Moore & Van Allen

# North Carolina

**Charlotte's explosive growth in the last decade prompted several national firms to set up shop there to capitalize on the city's banking industry. The recession quickly stunted those plans, as even established North Carolina firms with regional clients saw a decrease in litigation. Wachovia and Bank of America, two of the world's largest banks, merged with other institutions and have fielded shareholder suits as a result. Raleigh is the state's other legal hub, bolstered by the scientific and technological activities arising out of The Research Triangle Park.**

## Highly recommended firms

### Brooks Pierce McLendon Humphrey & Leonard

Founded in 1897, Brooks Pierce McLendon Humphrey & Leonard handles all facets of business litigation matters, including securities, antitrust, environmental, and professional liability. The firm distinguishes itself from firms of similar size by not having formal departments or practice groups. Young lawyers are encouraged to have broad-based expertise that, after years of experience, may develop into specialties. Peers commend the firm's work, with a lawyer from a prominent firm saying, "We had a lawsuit we had to bring as a law firm, and we hired Brooks Pierce." The firm is known to take on significant class actions in North Carolina and the Southeast.

**James Williams, Jr.**, receives high praise from competitors. "He's got that dean-of-the-bar status," one says. "He's very smart, very smooth, sort of personal rapport style personality. He's a very thorough, very fine capable lawyer. He looks the part but he delivers." Described by a peer as at the "top of the profession," **Jim Phillips, Jr.**, is adept at handling disputes in several areas, including securities, intellectual property, and employment. A former lead assistant US attorney, **Kearns Davis** focuses on white-collar criminal defense and government investigations. He has represented various entities, ranging from small businesses to doctors and lawyers. **Mark Prak** has significant experience representing media organizations before the Federal Communications Commission and other government agencies in issues of copyright, internet, and syndicated program exclusivity.

### Ellis & Winters

Ellis & Winters was elevated in this year's rankings at the behest of its competitors. It's "a very fine litigation boutique in Raleigh," says a peer. Another adds, "They've got some great litigators. They've got some top-notch people." Formed in 2000, the firm specializes in handling significant litigation and commercial real-estate cases, in one case

securing a \$424 million victory before the North Carolina Supreme Court. Amid the economic downturn, the firm has flourished, this year hiring six lateral litigators.

**J Donald Cowan, Jr.**, focuses on commercial, intellectual property, and product liability cases. He represents Fortune 500 companies in class action and antitrust cases, as well as criminal defendants facing capital charges. **Matthew Sawchak** is a leading antitrust lawyer. He recently served as lead defense counsel in an antitrust case in which the state's attorney general challenged trade association activities. **Richard Ellis** handles business, commercial, medical malpractice, and product liability cases. He represented a pharmaceutical company in breast implant litigation, serving as regional coordinating and trial counsel.

### McGuireWoods

With offices worldwide, McGuireWoods settled into North Carolina just two years ago after a merger with an established local firm that had offices in Raleigh and Wilmington. Together, the offices serve businesses of all sizes in diverse matters that include financial services, environmental, and commercial litigation. Capable of handling a variety of matters including torts, securities, and product liability, **Bradley Kutrow** earns high praise from peers. "When I think of good litigators at McGuireWoods, he's one of them," a competitor says. In 2009, Kutrow successfully defended a raw material supplier against a medical device manufacturer alleging negligent misrepresentation, unfair trade practice, and third-party beneficiary breach of contract claims. The case went to the Court of Appeals, where the trial court's summary judgment was affirmed. The plaintiff had sought damages of more than \$50 million. **Douglas Ey, Jr.**, focuses on antitrust, banking, regulatory, product liability, and commercial litigation matters. **Peter Covington** primarily takes on securities and financial services cases.

### Moore & Van Allen

Founded in 1929, Moore & Van Allen flourished as Charlotte's banking industry rose to prominence. The firm long has been a titan for business and transactional matters, but its litigation practice also earns high praise. MVA attorneys often handle claims outside the region, at times serving as co-counsel with some of the top firms in the country. In recent years, the firm has taken a hit along with the banking sector and in the thick of the recession had layoffs. Additionally, leading business litigator Gregory Murphy retired earlier this year.

Future star **Brian Heslin** is recognized for his white-collar criminal and energy practice. "I was impressed with Brian," says a peer. **James McLoughlin, Jr.**, and future star **Valecia McDowell** are noted for their civil and criminal litigation practice. A client calls them "highly talented and skillful. They bring to the table a broad understanding of the Brazilian judicial system as well as knowledge to address tax, regulatory, labor and civil matters. Their experience has been key to the success."

McLoughlin recently represented Bank of America in FINRA arbitration, in New York City, against a plaintiff seeking damages of \$30 million. Citing the Sarbanes-Oxley Act and New York law, the plaintiff alleged he was wrongfully demoted, terminated, and denied his bonus following his whistleblower activities. The arbitration panel denied his claims after a full hearing.

Future star **Alton Gwaltney III** is handling a number of significant matters this year, including one involving Banc of America Securities and other entities in seeking \$127 million of a \$200 million bond issued to Just For Feet. Shortly after acquiring the bonds, Just For Feet disclosed accounting irregularities and ultimately filed for bankruptcy protection in 1999. The case is set for trial in 2011.

### Robinson Bradshaw & Hinson

Robinson Bradshaw & Hinson has a strong team of litigators with vast experience in business matters ranging from antitrust to product liability. "I'm a big fan," says a competitor. "If I was required to go outside my firm – a firm of equals – those attorneys are some I would turn to first." The firm does a significant amount of financial services litigation, largely handled from the Charlotte office. When Wachovia, a longstanding client, merged with Wells Fargo, the bank stayed with the firm, though its main operations are now in San Francisco. The Carolinas HealthCare System is another significant client. "The litigators at RB&H have demonstrated the ability to understand complex business and regulatory matters and to provide good strategic advice," says one client. "The lawyers from RB&H are first-tier in all respects."

**Thomas Holderness** and **A Ward McKeithen** are well regarded by peers.

Holderness handles trust, money mismanagement, contract, and tax disputes. McKeithen is noted for his work as lead trial counsel in the prosecution and defense of antitrust and class action securities suits. **Mark Merritt, Martin Brackett, and Charles Johnson** earn high praise for their ability to assess the ramifications of various legal matters. “They all appreciate the

tried cases in securities fraud, breach of fiduciary duty, and government investigations. A peer describes him as “a very good, thoughtful lawyer.” An advocate for plaintiffs and defendants, **Christopher Smith** has vast experience in several matters including trade secrets, business disputes, and environmental litigation. Competitors laud him as an “exceptional litigator and

## Recommended firms

### Hunton & Williams

With 18 offices in the US, Europe, and Asia, Hunton & Williams is noted for its strong commercial litigation practice. Its Charlotte office was established in 1995 and handles diverse business litigation disputes. **Douglas Kenyon** focuses on intellectual property, antitrust, commercial, and white-collar criminal defense matters. In the 1980s, he founded the firm’s trademark and copyright practice and has since been sought after by domestic and international clients in all types of intellectual property disputes. He has handled cases relating to the maintenance, protection, and licensing of intellectual property.

### K&L Gates

K&L Gates is a global firm with a well-regarded general litigation practice. Established in 1957, its Charlotte office handles litigation relating to ERISA, intellectual property, real estate, and financial services. Competitors note the firm lost some talent with its 2008 merger with Kennedy Covington, once one of the city’s largest firms. Described by peers as a fine lawyer, **Kiran Mehta** handles business litigation matters that often involve multiparty disputes. A significant portion of his practice is dedicated to private equity investments. **Raymond Owens, Jr.** is noted for his work in insurance defense disputes. He has tried more than 50 bench and jury trials to verdict. He successfully represented two Eastern North Carolina counties in obtaining an injunction against the US Navy to prevent the construction of an outlying landing field.

### Manning Fulton

Founded in 1954, Manning Fulton primarily excels at appellate, business and commercial, construction, employment, and insurance litigation. The firm represents the largest privately held company in the state as well as other significant public and private companies in various industries. With more than 30 years of business and commercial litigation experience, **Michael Medford** has a vast range of expertise. He has handled business and legal malpractice claims, securities and insurance disputes, and shareholder and partnership disputes. His roster of clients includes IBM, General Electric, and BB&T. Medford is lead counsel for 10 financial institutions in a multimillion-dollar lawsuit involving claims of breach of fiduciary duty and alleged negligence in loan portfolio service.

### Parker Poe Adams & Bernstein

Parker Poe Adams & Bernstein has deep roots in the state, starting in 1884 when a former justice of the North Carolina Supreme Court opened the Charlotte office. The firm flourished in the city, which houses

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importance of keeping fees as low as possible,” says a client. “They are all good listeners, which helps them learn about our business and use their knowledge to provide helpful advice and counsel.”

**Robert Fuller** is “a very good lawyer,” says a peer. “He has a good practice. He’s well regarded.” Fuller and Merritt represented Wachovia Corporation and its board of directors in a class-action suit filed by Irving Erenhaus, a Wachovia shareholder challenging the board’s merger agreement with Wells Fargo Bank. Erenhaus sought to enjoin the merger, alleging the board agreed to deal protection devices in the merger agreement that were a breach of fiduciary duty. The case delved into unique issues of corporate law that outlined the fiduciary standards of directors in a period of economic distress. The firm succeeded in preventing the merger from being enjoined, and the plaintiff voluntarily dropped further claims. Several shareholders have appealed.

### Smith Anderson Blount Dorsett Mitchell & Jernigan

Founded 1912, Smith Anderson Blount Dorsett Mitchell & Jernigan is one of the largest firms in the state. It offers a host of litigation services involving commercial, securities, and intellectual property disputes, handled by several attorneys who previously practiced at national firms in New York, Washington, DC, and internationally. Competitors commend Smith Anderson lawyers, particularly litigation stars **Donald Tucker, Jr.** and **Carl Patterson**. “I have high regard for all of them, worked with all of them,” says a peer. With more than 20 years of commercial litigation experience, Tucker is noted for handling multiparty and class action disputes. He has represented a slew of corporations, including financial institutions and issuers of securities, in various types of litigation. Patterson is a 30-year veteran commercial litigator who has

very well-regarded across the bar.” “He’s an impressive young guy,” says a peer. Smith has argued appeals before the US Court of Appeals for the DC Circuit, the Fourth Circuit US Court of Appeals, and the North Carolina Court of Appeals.

### Womble Carlyle Sandridge & Rice

Womble Carlyle Sandridge & Rice is recognized for its strong business litigation practice. Formed in 1876 in Winston-Salem, the firm now has more than 530 lawyers in 11 offices, with locations in Greensboro, Charlotte, Raleigh, and The Research Triangle Park. Womble Carlyle has significant expertise in intellectual property and product liability matters, benefitting from its proximity to high-tech and biotech organizations at The Triangle. The three remaining offices in the state are heavily focused on business litigation matters and particularly excel in antitrust cases. “We tend to view Womble as the firm having the best litigation practice there is, other than ours,” says a competitor. Many attorneys have prior experience with the Securities and Exchange Commission, the Internal Revenue Service, the Federal Trade Commission, and the US Department of Justice. Four-term Governor Jim Hunt and Burley Mitchell, Jr, a former chief justice of the North Carolina Supreme Court, are members of the firm. **James Cooney III** was consistently cited for his skills in the courtroom. “He’s got an interesting practice for somebody who’s an excellent litigator. He also does high-profile, difficult criminal work,” says a peer. In 2007, Cooney obtained a dismissal of the charges against Reade Seligmann, one of three lacrosse players wrongfully accused in the “Duke Lacrosse Rape Case.” Cooney has tried more than 50 jury cases to verdict and has argued more than 35 appeals in state and federal courts. A competitor notes, “Jim Cooney is one of the best litigators in the state.”

Fortune 500 companies and for some time significant banking activity. Its Raleigh office is in the center of pharmaceutical, computer software, telecommunications, and biotechnology industry. Though Parker Poe has quickly grown in recent years, in 2009 the firm laid off 28 personnel – 13 of them attorneys. Today, the firm has about 220 attorneys in the Carolinas and Washington, DC. **William Rikard** handles civil litigation matters involving antitrust, intellectual property, business torts, and product liability matters. **Catharine Biggs Arrowood** represents businesses of all sizes in intellectual property, antitrust, torts, and fraud. Future star **Melanie Black Dubis** is noted for her representation of individuals and companies in trade secret, securities, and intellectual property litigation.

### **Smith Moore Leatherwood**

Smith Moore Leatherwood is a dominant presence in southeastern US, maintaining four of its six offices based in North Carolina. More than half of the firm's lawyers are dedicated to litigating various types of cases throughout the US. **Richard Coughlin** handles commercial litigation matters, with a sizeable intellectual property practice. He represents businesses in disputes related to patents, trademarks, copyrights, and trade secrets. Coughlin represents America's Recommended Mailers against claims by the AARP alleging trademark infringement.

### **Williams Mullen**

Formed in 1909 to address changes in business and finance laws, Williams Mullen

now has a general commercial litigation practice. Based in Richmond, the firm serves businesses of all sizes in disputes relating to antitrust, insurance coverage, intellectual property, and product liability. **Camden Webb** has an extensive general commercial litigation practice. He has appeared before the Fourth Circuit Court of Appeals, the North Carolina Court of Appeals, and federal district and bankruptcy courts in North Carolina. **Elizabeth Davenport Scott** handles product liability, contractual and unfair trade practices disputes, fiduciary duty claims, and insurance coverage disputes. **M Keith Kapp** focuses on commercial litigation and regulatory matters that include antitrust, warranty, unfair practices, and consumer protection issues.

