Litigation

Robinson Bradshaw lawyers prosecute and defend nearly every kind of business claim, appearing across the United States before juries and judges in state and federal courts, before arbitration panels, and before state and federal regulatory agencies. Our litigators routinely handle significant disputes for our business clients in a broad range of industries and have developed widely recognized experience in handling complex litigation in a variety of substantive practice areas. We also have substantial experience managing sensitive internal corporate investigations and assisting clients in responding to governmental investigations and inquiries. Our litigators have represented clients in state and federal courts across the country, in every federal appellate court and in the U.S. Supreme Court.

Our lawyers handle business disputes of all sizes for our clients – from "bet-the-company" litigation to smaller disputes between businesses and individuals. Our goal is always to help clients conclude disputes advantageously and efficiently. First, we gain an understanding of our clients' needs, and then we examine matters from a broad perspective, seeking solutions from both a legal and practical standpoint. Some disputes can only be resolved with a trial, while others can be resolved through negotiation. Alternative dispute resolution and effective settlement strategies are key elements of our practice. We also counsel our clients to minimize the potential for lawsuits and hold seminars to alert our clients to legal developments that affect their operations and policies.

Honors & Awards

- Chambers USA: America's Leading Lawyers for Business, Band 1 for litigation: general commercial, 2003-21
- *U.S. News – Best Lawyers*, Best Law Firms, national Tier 2 for commercial litigation, 2015-21; national Tier 3 for commercial litigation, 2013-14; Charlotte Tier 1 for commercial litigation, 2011-21; Raleigh Tier 1 for commercial litigation, 2021; Charlotte Tier 1 for bet-the-company litigation, 2020-21
- Benchmark Litigation, highly recommended firm, 2008-21; North Carolina Firm of the Year, 2013

Experience

- Represent the Southeastern Conference in defending multidistrict putative class actions filed by present and former student-athletes challenging the validity of NCAA grant-in-aid rules, filed in various locations and centralized in the Northern
District of California. In re National Collegiate Athletic Association Athletic Grant-in-Aid Cap Antitrust Litigation and Jenkins v. NCAA, MDL No. 2541 & No. 14-cv-02758-CW (N.D. Cal.).

- Represent Garlock, a wholly owned subsidiary of EnPro Industries, Inc., and its debtor affiliates in a Chapter 11 reorganization case pending in the Western District of North Carolina. The case was filed to resolve thousands of pending and future asbestos claims. In re Garlock Sealing Technologies LLC, No. 10-31607 (W.D.N.C.).

- Successfully represented Gov. McCrory, joined by former Govs. Martin and Hunt, in a direct appeal to the North Carolina Supreme Court in one of the first actions assigned to a three-judge panel created to hear facial challenges to acts of the North Carolina General Assembly. The governors alleged that certain statutory provisions relating to three newly created executive branch commissions violated the separation-of-powers clause, executive power clauses and appointments clause of the North Carolina Constitution. McCrory v. Berger, No. 113A15 (N.C. S. Ct.).

- Represented a cast iron soil pipe and fittings manufacturer in defending a multidistrict class action alleging that the three domestic manufacturers conspired to fix and maintain prices. In re Cast Iron Soil Pipe and Fittings Antitrust Litigation, MDL No. 2508 (E.D. Tenn.).

- Represented Family Dollar Stores Inc. in an appeal regarding certification of a putative nationwide class action to the U.S. Court of Appeals for the Fourth Circuit and a petition for certiorari to the U.S. Supreme Court. Scott v. Family Dollar Stores, Inc., 733 F.3d 105 (4th Cir. 2013).


- Represented a domestic drywall manufacturer in defending a multidistrict class action alleging eight makers of drywall conspired to fix and maintain prices nationwide. In re Domestic Drywall Antitrust Litigation, MDL No. 2437 (E.D. Pa.).

- Represent the Southeastern Conference in defending a putative class action filed by present and former student-athletes alleging that they should have been paid for the use of their video images in broadcasts of sports events. Marshall v. ESPN, No. 3:14-cv-1945 (M.D. Tenn.); No. 15-5753, 2016 WL 4400358 (6th Cir. Aug. 17, 2016) (argued appeal for the conferences). ESPN, ABC, NBC, CBS, FOX, and numerous conferences and licensing entities are co-defendants.

- Serve as lead national counsel defending a Fortune 20 telecommunications company in a series of cases alleging False Claims Act and other claims related
to the alleged undercollection of certain government taxes.

- Represent a major national bank in defending multidistrict putative class actions alleging a $1 billion-plus Ponzi scheme, filed in various locations and centralized in the District of Massachusetts. *In re Telexfree Securities Litigation*, MDL No. 4:14-md-2566 (D. Mass.).


- Represented a financial institution in a shareholder derivative action relating to auction rate securities sold by its subsidiary and breach of fiduciary duty claims against the officers and directors based on the collapse of the auction rate securities market and the handling of a lawsuit relating to that collapse.


- Represented a financial institution in a class action alleging a systemic failure to provide terms for payable-on-death accounts. The trial court denied class certification, accepting the credit union’s position that individual interests predominate over class-wide interests.