

North Carolina

The state has seen merger frenzy over the past year, with new firms increasingly finding homes or building larger practices in the Research Triangle Park area. Commercial and intellectual property litigation remain strong practice areas for firms, with some reporting an increase in aviation matters as well. Unfortunately, the area has also seen an increase in bankruptcy matters due to current economic conditions in Charlotte. The area continues to challenge Atlanta's bevy of firms for active casework, as growth here stays steady.

Highly recommended firms

K&L Gates merged with Kennedy Covington Lobdell & Hickman in July 2008. The firm now creates a North Carolina powerhouse of more than 1,700 lawyers spread across 28 offices. The combination of the two firms gives "K&L Gates the largest Carolinas presence of any global law firm." The firm, best known for its business and commercial litigation work, remains strong in areas of contract disputes, securities, real estate and product liability. Like many firms in the area, intellectual property continues to grow as well. Recent additions to the firm include several attorneys within the real estate and development group and life sciences division at the Research Triangle Park office and a newly created construction law blog.

Working in civil and criminal law, clients praise the work of **Raymond Owens** for his representation of torts, insurance and First Amendment claims. Owens receives praise for his commitment to pro bono work, and won plaudits for a case regarding the National Environmental Policy Act against the US Navy. The original plan, to build a practice jet landing field close to the Pocosin Lakes National Wildlife Refuge, was eventually scratched, and a judge ruled that the Navy had not met its obligations under the Act. Aiding Owens' efforts on the matter, **Kiran Mehta** focuses his time on construction, land use, environmental and mass torts litigation, and he is named as a top "bet-the-company" attorney. Mehta often defends private equity funds and major companies in litigation involving unfair practices and contracts. With more than 20 years of experience, **Alice Carmichael Richey** covers intellectual property and business litigation. Richey represents clients in contract disputes, copyright infringement and trademark matters. **Amelia Burnette** focuses on

employee and environmental disputes. Recent casework includes defending an insurance agent against claims of deceptive trade practices and misrepresentation. Associate **Christopher Lam** earns mention for his commercial litigation and pro bono services. Recent work includes successful defense of a NASCAR owner against defendants alleging deceptive trade practices

McGuireWoods recently merged with Helms Mullis Wicker to create a firm of some 900 lawyers spread across 19 offices. There are now roughly 160 lawyers in the Charlotte office. Major practice areas include class actions, intellectual property, professional liability and First Amendment law. Lawyers have also acted as national discovery counsel for many Fortune 500 companies, and have extensive experience handling e-discovery matters. The firm recently represented Power Gas Marketing & Transmission against Cabot and Linn Energy and won summary judgment.

As vice chairman of McGuireWoods, **Peter Covington** focuses on complex commercial disputes with an emphasis on securities, business torts and shareholder litigation. Case work includes representation of an insurance company in consumer class actions and an investment bank in securities fraud litigation in Oklahoma. **Douglas Ey** focuses his practice on antitrust, banking, products liability and commercial litigation issues. Representative case work includes defense of a chemical manufacturer in one of the "largest mass tort matters ever litigated in North Carolina." **Meghan Cloud** handles title disputes, premises liability and transportation cases. She has significant experience handling pharmaceutical cases.

Full service firm **Robinson Bradshaw & Hinson** operates in Charlotte and Chapel Hill. Often mentioned for its antitrust and intellectual property practices, the firm has a

Local litigation firms

Highly recommended

K&L Gates

McGuireWoods

Robinson Bradshaw & Hinson

Smith Anderson Blount Dorsett Mitchell & Jernigan

Womble Carlyle Sandridge & Rice

Recommended

Brooks Pierce McLendon Humphrey & Leonard

Ellis & Winters

Moore & Van Allen

Parker Poe Adams & Bernstein

Smith Moore

Hunton & Williams

"Lawyers are staffed based on 'which lawyers are best suited to handle the project successfully on a cost-efficient basis.'"

- Robinson Bradshaw & Hinson



Local litigation stars

Catherine Arrowood
Parker Poe Adams & Bernstein

Mark Ash
Smith Anderson Blount Dorsett Mitchell & Jernigan

Martin Brackett
Robinson Bradshaw & Hinson

James Cooney
Womble Carlyle Sandridge & Rice

Peter Covington
McGuireWoods

Donald Cowan
Smith Moore

Richard Ellis
Ellis & Winters

Douglas Ey
McGuireWoods

Doug Kenyon
Hunton & Williams

A Ward McKeithen
Robinson Bradshaw & Hinson

James McLoughlin
Moore & Van Allen

Kiran Mehta
K&L Gates

Mark Merritt
Robinson Bradshaw & Hinson

Raymond Owens
K&L Gates

Carl Patterson
Smith Anderson Blount Dorsett Mitchell & Jernigan

James Phillips
Brooks Pierce McLendon Humphrey & Leonard

Mark Prak
Brooks Pierce McLendon Humphrey & Leonard

William Raper
Womble Carlyle Sandridge & Rice

Alice Richey
K&L Gates

William Rikard
Parker Poe Adams & Bernstein

Matthew Sawchak
Ellis & Winters

James Williams
Brooks Pierce McLendon Humphrey & Leonard

substantial presence in business litigation matters. Unlike many firms based on billable hours, Robinson Bradshaw believes that lawyers can then devote more time “on solving problems and completing projects.” Lawyers are staffed based upon “which lawyers are best suited to handle the project successfully on a cost-efficient basis.” The firm continues to grow its litigation group with the addition of several new attorneys to the business and intellectual property groups. Recent case work includes representing National Welders Supply Company in a suit alleging unfair trade practices and civil conspiracy. The firm also represents Springs, Fruit of the Loom and Russell, textile manufacturers, against antitrust price fixing in an action against Celanese.

Martin Brackett focuses his practice on

and securities fraud cases. Another recent case includes successful defense of ESPN against claims of trademark infringement relating to the distribution of a movie about the late Dale Earnhardt.

Mark Ash handles aviation, employment and products liability matters. Recent case work includes defense of Electronic Data Systems against a dialysis provider equaling more than \$20 million over the non-payment of claims under Medicaid. Verispan and Liggett Tobacco are also clients. Head of the commercial litigation practice, **Carl Patterson** has more than 30 years of experience. Case work includes representing Cree in several securities fraud class actions. The firm recently secured a win in the US Court of Appeals for the Fourth Circuit for the dismissal of the case in favor of the client. **Heather Adams**

“Another recent case includes successful defense of ESPN against claims of trademark infringement relating to the distribution of a movie about Dale Earnhardt.”

- *Smith Anderson Blount Dorsett Mitchell & Jernigan*

injury and wrongful death claims and white-collar criminal law. He has served as lead counsel on many cases involving “claims arising out of the negligent operation of motor vehicles and aircraft together with product-related negligence claims.” For antitrust and class action securities matters, clients turn to **A Ward McKeithen** or **Mark Merritt**. Merritt has experience handling SEC matters and governmental investigations for his clients. **Thomas Holderness** focuses his work on business litigation issues, and often tries cases based upon money mismanagement claims. **Angelique Vincent** handles internal investigations and has experience with cases dealing with the Age Discrimination in Employment Act and the Americans with Disabilities Act.

Located in Raleigh, one of the oldest firms in the state **Smith Anderson Blount Dorsett Mitchell & Jernigan** offers clients a full range of business litigation services, and operates as one of the largest in the Research Triangle Park area. Of the commercial litigation team, 24 out of 27 of the partners have first-chair trial experience, with 43 total attorneys dedicated to litigation. Recent case work includes handling an insurance coverage matter for The Pantry, a chain operating several convenience stores, in relation to damage after Hurricane Katrina in Mississippi. Matters were eventually settled. Other major clients include Archer Western Contractors, Pepsi Bottling Ventures and Trammel Crow Residential Services. The firm often handles class actions, insurance disputes, contracts

handles cases involving contract disputes and intellectual property law. One recent client includes a former corporate officer at Krispy Kreme Donuts in a securities fraud class action related to a shareholder derivative suit. **Cliff Brinson** represents clients in contract, commercial and securities litigation. His trial experience includes work at the appellate level as well.

Womble Carlyle Sandridge & Rice has offices throughout the state in Charlotte, Greensboro, Raleigh, Research Triangle Park and Winston-Salem. Major litigation practice areas include antitrust, bankruptcy and creditor’s rights, healthcare, pharmaceuticals and environmental matters. The firm’s intellectual property practice, specifically within patents, continues to do well in the area. Comprised of roughly 60 attorneys, the firm takes cases for chemical, pharmaceutical and biotechnology clients such as Armstrong World Industries, GlaxoSmithKline, Lee Laboratories and Thermal Engineering.

Clients turn to **James Cooney** for criminal, commercial and medical malpractice cases. Cooney made news recently for his work defending “one of the wrongfully charged lacrosse players in the ‘Duke Lacrosse Rape Case.’” Cooney’s successful representation extends to pro bono matters defending death row inmate Alan Gell, exposing “prosecutorial misconduct” that led to a “wrongful conviction and sentence of death.” Cooney eventually obtained a “not guilty” verdict in favor of his client. Charlotte lawyer **William Raper** focuses on civil and professional

Future stars

Heather Adams
Smith Anderson Blount Dorsett Mitchell & Jernigan

Cliff Brinson
Smith Anderson Blount Dorsett Mitchell & Jernigan

Amelia Burnette
K&L Gates

Meghan Cloud
McGuireWoods

Richard Coughlin
Smith Moore

Kearns Davis
Brooks Pierce McLendon Humphrey & Leonard

Christina Douglas
Womble Carlyle Sandridge & Rice

Melanie Dubis
Parker Poe Adams & Bernstein

Gary Eichelberger
Ellis & Winters

Brian Heslin
Moore & Van Allen

Thomas Holderness
Robinson Bradshaw & Hinson

Christopher Lam
K&L Gates

Katy Lehman
Parker Poe Adams & Bernstein

Brent Rosser
Hunton & Williams

Jennifer Van Zant
Brooks Pierce McLendon Humphrey & Leonard

Angelique Vincent
Robinson Bradshaw & Hinson

Jeffrey Young
Moore & Van Allen

negligence defense, and often lectures on legal issues such as risk management and complex business. **Christina Douglas** handles personal injury, civil rights and business torts. She often works with in-house counsel to “expedite and improve efficiencies in handling the many tasks of large-scale litigation.”

Recommended firms

Brooks Pierce McLendon Humphrey & Leonard specializes in business law and commits to “understanding and empathizing, on a personal level, with the people who manage the companies we represent.” With offices in Greensboro and Raleigh, practice areas include antitrust, securities, environmental, professional liability and white-collar criminal work. The firm recently launched a business litigation report blog in order to keep clients and others updated on the North Carolina Court scene and effects of decisions there. Pro bono commitments are also important to the firm, with attorneys donating time to Housing Rights Center of Wake County, Legal Aid of North Carolina – Advocates for Children’s Services and Women’s Resource Center of Greensboro.

James Phillips handles complex business matters for companies and individuals, and has represented clients in several administrative proceedings. Case work includes representing “developers and land owners before local government bodies in land use and zoning matters.” **Mark Prak** focuses his business litigation strengths on companies operating radio stations, newspapers and wire services, among many others. His work extends to intellectual property matters, unfair competition and libel issues. **James Williams** works the gamut of business litigation issues. Main practice areas include eminent domain, antitrust, securities and professional liability matters. **Kearns Davis** leads the white-collar criminal defense, federal criminal trials and appeals, grand jury proceedings, and government investigations group. Trial experience includes antitrust, fraud, unfair trade practices and extensive areas of civil litigation. **Jennifer Van Zant** handles cases of antitrust, class actions, securities, employment and copyright law.

Ellis & Winters offers clients complex commercial and commercial real estate litigation experience. With only 27 lawyers, the firm regularly provides counsel to some of the top Fortune 500 companies. Office locations include Raleigh and Greensboro. Major litigation areas include medical malpractice, class actions, construction, products liability and securities law. Case representation experience includes a complete defense verdict for FirstHealth Richmond Memorial Hospital against a plaintiff who alleged she found a screw in her food.

Richard Ellis has extensive complex litigation experience in medical malpractice

and product liability disputes. He defends clients against claims of laboratory negligence and “represents many manufacturers and suppliers of pharmaceutical products and medical devices.” **Matthew Sawchak’s** practice involves antitrust, intellectual property and fraud litigation. Sawchak lends his time to the North Carolina General Statutes Commission, “a state agency that makes recommendations on possible improvements to North Carolina statutes.” Well known in the state, **Donald Cowan** handles cases involving intellectual property, products liability, medical products and other commercial matters. He often defends Fortune 500 companies in antitrust and class action claims. Employment, real estate, products liability and insurance coverage litigation are the focus of **Gary Eichelberger**.

Hunton & Williams receives mention for its extensive litigation practice of roughly 300 lawyers. The firm recently added nine lawyers from Akin Gump Strauss Hauer & Feld in an effort to continue expansion throughout its offices. The firm recently opened a San Francisco office as well. Major litigation areas include antitrust, employment, intellectual property and bankruptcy law. The firm recently scored a pro bono victory for the Fredericksburg City Council in Virginia. The case centered on a city councilman who “asserted that he has a constitutional right to offer a sectarian prayer as the Council’s official opening prayer.” Retired Supreme Court Justice Sandra Day O’Connor decided that no rights were violated and upheld the right for meetings to start with nonsectarian prayers.

Douglas Kenyon handles intellectual property cases with an emphasis on trademarks, copyrights, unfair competition and publishing. He has extensive pro bono experience as well for the Gluten Intolerance Group, Search For Common Ground and Consultative Group to Assist the Poor. Colleague **Brent Rosser** focuses his time on environmental, contract, insurance, construction and products liability matters.

One of the largest firms in the state, **Moore & Van Allen** has offices in Charlotte and Research Triangle Park. Prime areas of litigation include commercial, environmental, intellectual property, construction, insurance and products liability law. The firm recently represented Nucor Steel Decatur in a \$16 million lawsuit against Bailey PVS Oxides regarding a contract dispute over a by-product of the steel finishing process. The firm reached a settlement on behalf of the client. Other representation includes engineering company ABB against Bechtel in a \$15 million government contract dispute over the construction of substations as part of the Iraq reconstruction efforts. Moore & Van Allen eventually negotiated a favorable settlement for the client.

James McLoughlin focuses on high-profile civil and criminal litigation. Recent case work includes representing the Raleigh-Durham Airport Authority against several newspaper publishers on First Amendment issues regarding the placement of news racks in airport terminals. In other cases, McLoughlin successfully represented Charles Schwab in a week-long arbitration proceeding. **Brian Heslin** focuses his time on civil, criminal and white-collar criminal proceedings. Prior work experience comes from serving with the Department of Justice and Army Judge Advocate General's Corps. Trial work includes representing Lowe's in a breach of contract, fraud and unfair trade practices dispute. **Jeffrey Young's** practice focuses on construction, contract, intellectual property and Employment Retirement Income Security Act disputes. Young has extensive experience representing client ABB.

Parker Poe Adams & Bernstein boasts extensive litigation experience in several fields including antitrust, contracts, construction,

environmental, medical negligence, intellectual property law and white-collar criminal defense law. The firm recently expanded both products liability and healthcare groups with the additions of new attorneys. Recent casework includes representing trucking company, Daily Express, in an overweight hauling matter against The Department of Crime Control and Public Safety, Division of State Highway Patrol in North Carolina. The State Highway Patrol fined Daily Express \$25,000, but a judge disagreed and ordered the state to repay the company more than \$24,000 plus interest. It was a victory not only for the client, but for other trucking companies in oversized load matters.

Catherine Arrowood practices antitrust, intellectual property and alternative dispute resolution. Client industries range from insurance to commercial jet engine repair companies. **William Rikard** has more than 30 years experience with antitrust, business torts, commercial contracts and products liability cases. Case work includes recovering more than \$20 million for a

client based on misappropriation of trade secrets and unfair competition. **Melanie Dubis** focuses her time on antitrust, business torts and intellectual property, while associate **Katy Lehman** emphasizes professional malpractice and insurance coverage litigation.

In the ongoing merger scene in North Carolina, Smith Moore recently joined forces with Leatherwood Walker Todd & Mann to become **Smith Moore Leatherwood**. The firm now comprises roughly 180 lawyers spread across six offices. It provides both firms with a more secure anchor in Southeastern legal scene. Offices now stretch from Atlanta to Greenville, along the I-85 corridor. The firm boasts a deep bench in litigation, with more than half of the firm's lawyers focusing on trial practices and dispute resolution. Antitrust, class action, intellectual property and toxic torts continue to bring in business for the firm. Attorney **Richard Coughlin** represents clients in insurance and all aspects of intellectual property law.