



## Kearns Davis

Partner

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Kearns Davis leads the firm's practice in the areas of white-collar criminal defense, felony trials and appeals, grand jury proceedings, and government investigations. He also handles a broad range of federal and business litigation. Among other honors and awards, he is listed in "The Best Lawyers in America" in White-Collar Criminal Defense, Bet-the-Company Litigation, and Commercial Litigation (Woodward/White publishing, 2010-2012), in the "North Carolina Super Lawyers Top 100" (*Law & Politics* 2012), in *Business North Carolina* magazine's "Legal Elite" in Criminal Law (2008-2012), and in "North Carolina Super Lawyers" in White-Collar Criminal Defense (*Law & Politics* 2010-2012). He has tried jury cases at all levels of federal and North Carolina trial courts, and he has handled dozens of criminal and civil appeals in the U.S. Courts of Appeals for the Second, Fourth, and Ninth Circuits.

Kearns regularly represents businesses, executives, doctors, lawyers, financial professionals, and others involved in government and criminal investigations including real estate, health care, environmental, bank fraud, public corruption, tax evasion, securities, money laundering, mail fraud, wire fraud, false statements, federal benefits, computer crimes, embezzlement, false pretenses, identity theft, conspiracy, and other types of cases. A former federal prosecutor, in his years with the government Kearns served

### Practice Areas

White-Collar Criminal

Litigation

Appellate Litigation

### Clerkship(s)

Law clerk to Chief Judge Sam J. Ervin, III, of the United States Court of Appeals for the Fourth Circuit

### Education

University of North Carolina, J.D., with honors, 1995, Managing Editor, *North Carolina Law Review*, 1994-95

Duke University, M.A., 1994

Davidson College, B.A., with honors in History, 1991

as the United States' lead counsel in felony trials for a broad spectrum of crimes including fraud, conspiracy, money laundering, crimes against financial institutions, drug trafficking, bank robbery, and firearms offenses. He was the lead Assistant United States Attorney in investigations by federal agencies and grand juries into offenses ranging from bank fraud to tax evasion.

In business and civil litigation, Kearns has represented publicly traded corporations, privately held companies, small businesses, municipalities, individuals, and the United States in a wide range of matters including fraud, unfair trade practices, antitrust, shareholder disputes, breach of contract, environmental, real estate, construction, labor and employment, tax, intellectual property, transportation, and consumer protection.

### Teaching

- Adjunct Law Professor, Trial Advocacy, University of North Carolina School of Law, 2008-12
- Adjunct Law Professor, Trial Advocacy, Elon University School of Law, Spring 2008
- Trial Advocacy Instructor, U.S. Department of Justice, National Advocacy Center, 2007
- Faculty, National Institute for Trial Advocacy Southeast Regional, 2006 & 2007

### Honors & Awards

- "The Best Lawyers in America" in White-Collar Criminal Defense, Bet-the-Company Litigation, and Commercial Litigation (Woodward/White publishing, 2010-2012)
- *North Carolina Super Lawyers* "Top 100," 2012
- *Business North Carolina* magazine, "Legal Elite" in Criminal Law, 2008-2012
- *North Carolina Super Lawyers* in White-Collar Criminal Defense (*Law & Politics*, 2010 & 2011)
- "Top Lawyers of the Triad" in Trial/Litigation (*Business Leader* magazine, 2008)
- "Robinson O. Everett Professionalism Award" (North Carolina Bar Association, 2010)

### Professional & Community Activities

- President, Federal Bar Association, Middle District of North Carolina Chapter, 2010-11
- Magistrate Judge Merit Selection Panel, U.S. District Court for the Middle District of North Carolina, 2011
- Criminal Justice Act Appellate Panel Committee, U.S. Court of Appeals for the Fourth Circuit, 2008-present

- Board of Governors, N.C. Bar Association, 2011-14
- Chair, N.C. Bar Association Court Funding Initiatives Task Force, 2011-12
- Chair, N.C. Bar Association Criminal Justice Section, 2007-08
- Chair, N.C. Bar Association Young Lawyers Division, 2004-05
- Co-Director, Rotary Youth Leadership Program, 2007
- Board of Directors, University of North Carolina School of Law Alumni Association, 2000-06
- Board of Directors, Davidson College Alumni Association, 2007-2010
- Board of Directors, National Association of Assistant United States Attorneys, 2006-07
- Chair, Greensboro Bar Association Pro Bono Committee, 2000-01
- Founding Chair, Greensboro Bar Association, Young Lawyers Section Domestic Violence Project, 1999-2001
- Advisory Board, Court Watch of North Carolina
- Secretary, Rest Haven Summer Sunday School, Pamlico River, Beaufort County, NC
- Finance Board & Deacon, Grace Community Church, 2004-06
- Greensboro Sports Council
- Wide Receiver/Linebacker, Greensboro Prowlers, Arena Football 2, 2000
- Graduate Assistant Football Coach, Duke University, 1991-92

### Articles & Presentations

- White Collar Crime Panel, 2011 Criminal Justice Section Annual Meeting, North Carolina Bar Foundation
- "*Federal Criminal Case Law Update*," North Carolina Bar Foundation, 2006-11
- "*When Insiders Pose a Hidden Danger: Conducting Internal Corporate Investigations*," N.C. Bankers Association Security Summit, September 2011
- "*2010 White-Collar Crime Update - Fourth Circuit and Supreme Court*," North Carolina Bar Foundation, April 2010
- "*Environmental Criminal Investigations & Enforcement*," UNC Law School Festival of Legal Learning, February 2010
- "*Corporate Investigations: Government, Criminal, and Internal*," UNC School of Law Festival of Legal Learning, February 2009
- "*Appellate Process*." U.S. Department of Justice, National Advocacy Center, 2005

- "*Environmental Citizen Suits.*" Real Estate Section Annual Meeting, North Carolina Bar Foundation, 2000
- "*Sigurjonsson v. Iceland: The European Court of Human Rights Expands the Negative Right of Association,*" 27 Case W. Res. J. Int'l L. (1995), reprinted in 5 Irish Student L. Rev. (1995)
- Note, "*Crawford v. Air Line Pilots Association: The Fourth Circuit Determines What Expenses a Union May Charge to Nonunion Workers,*" 72 N.C. L. REV. 1732 (1994)

### Seminars & Speaking Engagements

- Kearns Davis Presents on White-Collar Crime at Criminal Justice Section Annual Meeting
- Kearns Davis Presents Federal Criminal Case Law Update
- Kearns Davis Presents at Criminal Justice Section Annual Meeting
- Brooks Pierce Attorneys Present at Bankers Association Security Summit

### Bar & Court Admissions

- North Carolina
- U.S. Supreme Court
- U.S. Court of Appeals, 2nd Circuit
- U.S. Court of Appeals, 4th Circuit
- U.S. Court of Appeals, 9th Circuit
- U.S. District Court, Eastern District of North Carolina
- U.S. District Court, Middle District of North Carolina
- U.S. District Court, Western District of North Carolina
- U.S. District Court, Western District of New York
- U.S. Tax Court