



Alexander Elkan

Partner

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Alex focuses his practice in the areas of business litigation and environmental law. He provides strategic counsel on business and environmental matters and represents clients in all manner of disputes before state and federal trial, administrative, and appellate courts. Alex is recognized as one of North Carolina's "Legal Elite" in Environmental Law by *Business North Carolina* magazine and as a "Rising Star" in Environmental Litigation by *North Carolina Super Lawyers*.

Alex has experience in a wide variety of environmental and natural resources matters such as toxic torts, the Clean Air and Water Acts, Superfund, RCRA, EPCRA, Coastal Zone Management, NEPA, SEPA, OPHSCA, NESHAP, OSHA, Federal Power Act, water resources, zoning and land use, SPCA, toxic torts, underground storage tanks, mining, wetlands utilization, and contaminated properties, as well as "green" building, environmental marketing, and various energy issues. Among other sectors, Alex regularly represents manufacturers, resource extractors, developers, educational institutions, municipalities, and a range of businesses.

Alex's litigation and appellate practice involves representing individual and corporate clients before state and federal trial, administrative, and appellate courts in all manner of disputes. Alex has litigated a broad range of matters

Practice Areas

Environmental

Litigation

Mediation & Arbitration

Sustainability

Zoning, Subdivision & Land Use

Education

University of North Carolina,
J.D., 2003

Duke University, Doctoral
Studies, 1997-2001, Fulbright
Scholarship, 1998; Master of
Environmental Management,
1996

Union College, B.S., with
honors, 1991

including complex business and securities litigation, fraud and unfair trade practice claims, construction litigation, commercial contracts, professional malpractice, real property and natural resources disputes, Superfund, toxic torts, and government fines and penalties. In his appellate practice, Alex has represented clients before the North Carolina Court of Appeals, the North Carolina Supreme Court and the United States Court of Appeals for the Fourth and Sixth Circuits. Alex's successful trial and appellate litigation practice has resulted in significant published cases involving:

- Groundwater contamination and toxic tort claims
Curl v. American Multimedia, Inc., ___N.C.App.____, 654 S.E.2d 76 (2007)
- Government environmental penalties and third-party intervention
Holly Ridge Associates, LLC v. North Carolina Dept. of Environment and Natural Resources, 361 N.C. 531, 648 S.E.2d 830 (2007)
- Commercial lease and contract disputes
Kennedy v. Gardner, 170 N.C. App. 118, 611 S.E.2d 480 (2005)
- Real estate and securities fraud claims
Synergy Financial, L.L.C. v. Zarro, 329 F.Supp.2d 701 (W.D.N.C. 2004)

Alex is a certified Superior Court mediator and also provides mediation services as part of his law practice.

Alex regularly lectures and develops courses on environmental law topics for audiences comprised of attorneys, engineers, and other professionals. He is active in the litigation and environmental sections of the North Carolina and American Bar Associations.

Alex's background includes work as a commercial fisherman, a congressional fellow, a biologist, a research and teaching associate with the Duke University Marine Laboratory, and an environmental science and policy consultant. He obtained his Juris Doctorate from the University of North Carolina at Chapel Hill School of Law, his Masters of Environmental Management from Duke University's Nicholas School of the Environment, and his Bachelor of Science degree from Union College. Alex was honored to be awarded a Fulbright Scholarship in support of his doctoral studies at Duke University.

Selected Speeches & Publications

- *Elkan, Alexander*. "Environmental Risks of Lenders," North Carolina Bankers Association Annual Meeting, 2011
- *Elkan, Alexander*. "Recent Developments in Environmental Law", Annual Meeting of the Environmental and Natural Resources Law Section of the North Carolina Bar Association, 2007

- *House, George W. and Elkan, Alexander.* "Legal Perspectives on Phase I Environmental Assessments", S&ME Environmental Professional Seminar, 2007
- *Elkan, Alexander.* "Environmental Law Developments", Annual Meeting of the Environmental and Natural Resources Law Section of the North Carolina Bar Association, 2006

Honors & Awards

- "Legal Elite" in Environmental Law (*Business North Carolina* magazine)
- Recognized as a "Rising Star" by *North Carolina Super Lawyers* in Environmental Litigation
- Herb Falk Society Pro Bono Award (Greensboro Bar Association)

Professional & Community Activities

- American Bar Association - Litigation and Environmental Sections
- North Carolina Bar Association - Litigation and Environmental Sections; Environmental Section Council
- Defense Research Institute - Toxic Tort and Environmental Litigation Committee
- Greensboro Bar Association
- Greensboro Bar Association - Young Lawyers Section Board of Directors
- United Way of Greater Greensboro - Community Grants Committee
- Community Foundation of Greater Greensboro Future Fund - Grants Committee
- Green Hill Center for North Carolina Art Board of Directors - Past President
- YMCA and GUSA - Youth Athletics Coach

Seminars & Speaking Engagements

- From Copenhagen to Greensboro: Green Market Opportunities for Businesses

Bar & Court Admissions

- North Carolina
- U.S. Court of Appeals, 4th Circuit
- U.S. Court of Appeals, 6th Circuit
- U.S. District Court, Eastern District, North Carolina
- U.S. District Court, Middle District, North Carolina
- U.S. District Court, Western District, North Carolina

- Certified North Carolina Superior Court Mediator