



Mack Sperling

Partner

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Mack was born and grew up in New York, and graduated from Union College in Schenectady, New York, with honors in Political Science and Psychology. He received his law degree from the University of North Carolina at Chapel Hill, with honors, in 1983. He was an editor of the *North Carolina Law Review* and was elected to the Order of the Coif.

After graduation from law school, Mack was law clerk to Judge Frank W. Bullock, Jr. of the United States District Court for the Middle District of North Carolina, from 1983-84. He has also served as an Adjunct Instructor at the University of North Carolina School of Law, on the faculty of the National Institute for Trial Advocacy's Southeast Regional, and on the Local Rules Committee of the Middle District of North Carolina. He is also a Permanent Member of the Fourth Circuit Judicial Conference.

Mack is a Fellow of the American College of Trial Lawyers, and he writes a widely read blog about business litigation in North Carolina, the North Carolina Business Litigation Report.

At Brooks Pierce, Mack is co-chair of the Computer and Technology Committee, where his focus is on the effective use of technology in litigation. Mack speaks frequently on that subject both inside and outside of Brooks Pierce.

Practice Areas

Complex Business & Corporate
Litigation

Intellectual Property &
Technology

Litigation

Education

University of North Carolina,
J.D., with honors, 1983, Order
of the Coif; Note and Comment
Editor, *North Carolina Law
Review*, 1982-83

Union College, B.A., with
honors, 1980

Mack is a business litigator who represents clients in complicated business disputes. He has litigated a broad range of matters, including successful results in published cases involving:

- Employment discrimination (*Thomas v. Freeway Foods, Inc.*, 2006 WL 5411290 (M.D.N.C. 2006); *Allen v. Center for Creative Leadership*, 2006 WL 1743285 (M.D.N.C. 2006); *Dalton v. Avis Rent a Car System*, 336 F.Supp.2d 534 (M.D.N.C. 2004); *Farlow v. Wachovia Bank of N.C., N.A.*, 259 F.3d 309 (4th Cir. 2001); *Caldwell v. Norfolk Southern Ry. Co.*, 175 F.3d 1013 (4th Cir. 1999));
- Securities litigation (*Krim v. Coastal Physician Group, Inc.*, 81 F.Supp.2d 621 (M.D.N.C. 1998)); Intellectual property matters (*Lyons Partnership LP v. Morris Costumes, Inc.*, 243 F.3d 789 (4th Cir. 2001); *Baldine v. Furniture Comfort Corp.*, 956 F. Supp. 580 (M.D.N.C. 1996));
- Minority shareholder disputes (*Chemcraft Holdings Corp. v. Shayban*, 2006 NCBC 13 (2006); *Cabaniss v. Deutsche Bank Securities, Inc.*, 170 N.C. App. 180, 611 S.E.2d 878 (2005));
- Mergers of publicly traded companies (*Marcoux v. Prim*, 2004 NCBC 5; *In re Wachovia Shareholders' Litigation*, 2003 NCBC 10));
- Breach of a sponsorship contract for a league of professional athletes (*Pro Billiards Tour Association, Inc. v. R.J. Reynolds Tobacco Co.*, 187 F.R.D. 229 (M.D.N.C. 1999));
- Aviation maintenance (*Westar Air Cargo of Texas, Inc. v. Weststar Express Air Cargo, Inc.*, 2007 WL 1381617 (D. Ariz. 2007));
- Class action litigation (*Scarvey v. First Federal Savings & Loan Association*, 552 S.E.2d 655 (2001); *DeLoach v. Lorillard Tobacco Co.*, 391 F.3d 551 (4th Cir. 2004));
- Bankruptcy appeals (*In re Baltimore Emergency Services IL Corp.*, 432 F.3d 557 (4th Cir. 2005));
- Insurance coverage matters (*Cline v. General American Life Ins. Co.*, 53 F.3d 328 (4th Cir. 1995));
- Arbitration matters (*Remmey v. PaineWebber, Inc.*, 32 F.3d 143 (4th Cir. 1994); and
- Breach of contract matters (*Sutton Woodworking Machine Co. v. DKLS, Inc.*, 113 N.C. App. 649, 439 S.E.2d 806 (1994); *Ace, Inc. v. Maynard*, 108 N.C. App. 241, 423 S.E.2d 504 (1982)).

Honors & Awards

- Listed in *Best Lawyers in America* in the area of Business Litigation, and in *Chambers USA: America's Leading Lawyers* for Business in the area of Litigation

- Listed in the *Legal Elite* published by Business North Carolina Magazine, as a Top 100 North Carolina Super Lawyer in *Charlotte* Magazine, and also in the Super Lawyers Corporate Counsel Edition

Professional & Community Activities

- Past president of the Board of Trustees of B'nai Shalom Day School from 2002-2004
- Past member of the Board of the Greensboro Jewish Foundation
- Past member of the North Carolina General Statutes Commission

Bar & Court Admissions

- North Carolina
- U.S. Supreme Court
- U.S. Court of Appeals, 4th 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