



Gary S. Parsons
PARTNER

Raleigh
t: 919.573.6241
f: 336.232.9040
gparsons@brookspierce.com

Gary Parsons is a litigator's litigator: he tries cases. He has participated in more than 80 trials, over 125 appeals, and has represented clients in courtrooms in at least 70 of North Carolina's 100 counties.

APPELLATE EXPERIENCE

Gary began his career as a law clerk for Associate Justice J. William Copeland of the North Carolina Supreme Court. Since that time, he has participated in over 125 appeals. He has argued before the U.S. Court of Appeals for the Fourth Circuit, the North Carolina Supreme Court, and the North Carolina Court of Appeals. He has also represented clients before the United States Supreme Court.

Gary's appellate practice has included cases involving financial regulation, lawyer professional liability, professional licensing, insurance regulation, municipal liability and civil rights actions. He has frequently been retained to assist other lawyers and firms in appellate matters and to advise on appellate procedure. Gary served on the Appellate Rules Committee of the North Carolina Bar Association for fourteen years.

LAWYER MALPRACTICE LITIGATION

Gary has decades of experience representing companies of all sizes in a wide range of disputes.

COMPLEX BUSINESS LITIGATION

Gary has decades of experience representing businesses and governments of all sizes in a wide range of disputes.

EXPERIENCE

Gary Parsons handles trials and appeals in state and federal courts throughout North Carolina and adjoining states.

He represents businesses ranging in size from Fortune 100 to regional and local companies, as well as local governments. He has represented clients in the energy, pharmaceutical, automotive, internet information, healthcare, communications and insurance industries. He has litigated business disputes, intellectual property, antitrust, catastrophic personal injury, wrongful death, mass tort, lawyer malpractice, civil rights, and insurance coverage and bad faith claims. He also has significant experience in litigating regulatory disputes and professional disciplinary hearings before state administrative agencies.

Gary has argued before the United States Court of Appeals for the Fourth Circuit, the North Carolina Supreme Court and the North Carolina Court of Appeals. He also appears regularly before all three U.S. District Courts in North Carolina and the North Carolina Business Court.

A summary of Gary's representative experience includes:

Lawyer Malpractice Litigation:

- Defending an attorney against legal malpractice claims arising out of membership transfers in multiple limited liability companies. While motion for summary judgment was pending, plaintiff took a voluntary dismissal with prejudice in exchange for our client's agreement not to pursue court costs.
- Defending an attorney in a legal malpractice case arising out of a plea agreement reached on federal felony charges. Case was dismissed. Plaintiff did not appeal.
- Representing an estate planning attorney in a legal malpractice case filed by the client's heirs while the client was still living. Motion to dismiss granted and affirmed on appeal. Plaintiffs' motions for relief from judgment were denied on remand.
- Defending a lawyer and the lawyer's firm against federal RICO, Fair Debt Collection Practices, fraud, constructive trust, unjust enrichment and conversion claims. Motion to dismiss all claims granted. Motion for sanctions against plaintiffs' counsel granted and affirmed on appeal.
- Defending a lawyer against claims of breach of fiduciary duty and constructive fraud while serving as guardian of an aged ward. Summary judgment granted for lawyer and affirmed on appeal.
- Defending a law firm against claims by liquidator of insolvent insurer of negligence, fraud, constructive fraud and breach of fiduciary duty. Motion to dismiss granted, and affirmed on appeal.

Complex Business Litigation:

- Representing two confidential informants for the Bureau of Alcohol, Tobacco, Firearms and Explosives in a lawsuit brought by a national tobacco cooperative alleging widespread fraudulent practices. Defendants' motion to substitute the government for our clients was granted on appeal. Summary

judgment in favor of our clients on all remaining claims against them was granted on remand.

- Representing a manufacturer of industrial battery components against patent infringement claims and in asserting antitrust claims before U.S. District Court for the Western District of North Carolina.
- Representing an international internet information provider against a trademark infringement claim in U.S. District Court for the Middle District of North Carolina.
- Defending an automobile manufacturer in proceeding challenging issuance of dealer's license directly to manufacturer. Agency dismissed proceeding during discovery, leaving license in place and declining to prosecute further.
- Representing a pharmaceutical company in dispute with co-founder regarding co-founder's sabotage of initial public offering.
- Defending a financial institution in claims alleging massive fraud by former agent in embezzling millions of dollars from the clients. Over 120 claims settled on terms favorable to client.
- Defending a city police department against excessive force claims arising out of standoff with armed subject that ultimately led to shooting of subject – summary judgment granted in trial court, affirmed on appeal.
- Defending county commissioners against claim by hospital administrator based on contract entered into by hospital trustees. Summary judgement granted for commissioners based on revocation of contract by commissioners. Affirmed by N.C. Court of Appeals and N.C. Supreme Court
- Serving as part of a team as national counsel for pharmaceutical company in product liability claims involving antibiotic side effects – appeared in matters in North Carolina and several other states.
- Defending a manufacturer as regional counsel for North Carolina in series of actions in multi-district litigation arising out of recall of antibiotic. All cases settled under confidential settlements.

SERVICES

Appellate

Class Action

Complex Business Litigation

Federal Litigation

Insurance & Professional Services

IP Litigation

Litigation

Media, Publishing & Communications

North Carolina Business Court

Professional Liability Litigation

Technology

Transportation

CREDENTIALS

Clerkships

Law Clerk to Associate Justice J. William Copeland, North Carolina Supreme Court, 1977-1978

Honors & Recognitions

Listed in *Chambers USA: America's Leading Lawyers for Business* for Litigation: General Commercial (North Carolina) (2011-2021)

Chosen as the 2021 recipient of the North Carolina Association of Defense Attorneys Award for Excellence in Trial Advocacy

Recognized in the "Legal Elite" Hall of Fame by *Business North Carolina* magazine for Litigation

Listed in *North Carolina Super Lawyers* for Business Litigation (2016-2021); Top 100 lawyers in North Carolina (2006-2019 editions), Top 25 Lawyers in Raleigh (2014-2015, 2018-2019).

Recognized in *Super Lawyers Business Edition* for Business Litigation (2015)

Selected by his peers for inclusion in *The Best Lawyers in America*® in Bet-the-Company Litigation, Commercial Litigation, Legal Malpractice Law - Defendants, and Personal Injury Litigation - Defendants (2003-2022)

Recognized as a "Local Litigation Star" by *Benchmark Litigation* in Insurance, Product Liability and Recall, Securities, and Environmental (2015-2021); Business Litigation (2015-2017)

American Board of Trial Advocates: Advocate (2009 - present)

Litigation Counsel of America: Fellow (2010-present)

Fellow, American Bar Foundation

Education

University of North Carolina School of Law, J.D., 1977

North Carolina State University, B.S., 1974

Admissions

North Carolina

U.S. Supreme Court

U.S. Court of Appeals for the 4th Circuit

U.S. District Court for the Western, Middle, and Eastern Districts of North Carolina

PROFESSIONAL & CIVIC

North Carolina Association of Defense Attorneys, President, (2003-2004), Board of Directors (1998-2001),
Judicial Committee (2011-2013)

North Carolina Bar Association, Professionalism Committee (2004-2006), Appellate Rules Committee
(1982-1995)

Wake County Bar Association, Board of Directors (1989-1990)

Defense Research Institute (1985-present)

American Bar Association (1977-present)

ABOUT ME

My career has been about taking problems that people and businesses bring to me and solving them in cost-effective ways. Sometimes, this has been done with a phone call or a letter. Other times, it required trials and appeals.

Much like surgeons, litigators frequently see the client only after more conservative measures did not yield a cure. Like good surgeons, we need the confidence and skill to take the case to our operating theatre - the courtroom - and the judgment to know when a solution can be achieved with less cost and risk.

I enjoy trying lawsuits and arguing appeals more than any of my hobbies - primarily because I'm a better lawyer than a golfer. I enjoy seeing people freed from the disputes they face, especially when we can end their risk and uncertainty earlier at lower cost.

NEWSROOM

News

72 Brooks Pierce Attorneys Recognized in *The Best Lawyers in America*® 2022 Guide
The Best Lawyers in America®, 08.19.2021

Brooks Pierce Partner Recognized by North Carolina Association of Defense Attorneys
06.18.2021

Brooks Pierce Practice Areas, Attorneys Receive Top Honors from Chambers USA
Chambers USA, 05.20.2021

Gary Parsons Publishes Article in North Carolina Lawyers Weekly
North Carolina Lawyers Weekly, 03.25.2021

Thirty Brooks Pierce Attorneys Recognized by 2021 North Carolina Super Lawyers
North Carolina Super Lawyers, 01.14.2021

Speaking Engagements

Gary Parsons to Speak at North Carolina Bar Association CLE
02.03.2021

Brooks Pierce Attorney Served as Panelist at American Board of Trial Advocates Event
04.12.2018

Brooks Pierce Sponsors Ethics CLE for Association of Corporate Counsel
07.22.2016

Gary Parsons Speaks on Immunity at NCAMA Summer Conference
08.12.2015

Publications

Five Lessons Learned From a Lifetime in the Courtroom
07.09.2020

Potential Insurance Coverage for COVID-19 Losses
COVID-19 Response Resource Center: Timely Counsel for your Business, 03.26.2020