



Kearns Davis

PARTNER

Greensboro

t: 336.271.3174

f: 336.378.1001

kdavis@brookspierce.com

Kearns Davis founded the firm's white-collar defense and investigations practice in 2007. A former federal prosecutor, he has tried jury cases at all levels of federal and North Carolina trial courts, and he represents clients in U.S. trial and appellate courts across the country. In addition to criminal matters and investigations, Kearns handles a broad range of federal and business litigation. He served as president of the North Carolina Bar Association in 2016-17.

WHITE-COLLAR DEFENSE

Among other honors and awards, Kearns is listed in *North Carolina Super Lawyers* Top 10 attorneys in all categories (Thomson Reuters, 2016-2022), *The Best Lawyers in America*® in White-Collar Criminal Defense (2010-2022), and *Chambers USA: America's Leading Lawyers for Business* in White-Collar Crime and Government Investigations (Band 1) (2012-21). *Best Lawyers* has repeatedly named him "Lawyer of the Year" for Greensboro in White-Collar Criminal Defense (2013, 2016, 2018 & 2020), and his peers elected him in 2020 to permanent membership in *Business North Carolina's* "Legal Elite Hall of Fame" for Criminal Defense (2020). *Benchmark Litigation* has recognized him as a "Litigation Star" for North Carolina in White-Collar Crime each year since 2015.

"[Kearns Davis] is a wonderfully disciplined trial lawyer and is extremely methodical in his approach. He is an extremely bright person with good instincts."

- Chambers USA: America's Leading Lawyers for Business

GOVERNMENT INVESTIGATIONS

Kearns regularly represents businesses and professionals in government and criminal investigations related to health care, real estate, tax evasion, environmental issues, bank fraud, Payment Protection Program (PPP) fraud, public corruption, tax evasion, insider trading and

securities, money laundering, mail fraud, wire fraud, false statements, immigration, federal benefits, computer crimes, embezzlement, false pretenses, identity theft, conspiracy, professional licensing, and other matters.

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"[Kearns Davis] is a remarkable and very capable lawyer with a stellar statewide reputation. - Chambers USA: America's Leading Lawyers for Business"

FEDERAL LITIGATION

Kearns began his legal career as a law clerk to Chief Judge Sam J. Ervin, III of the United States Court of Appeals for the Fourth Circuit, later served as an Assistant United States Attorney for the Middle District of North Carolina, and in private practice handles cases in federal courts across the United States. He is one of few lawyers whose federal trial experience includes both civil and criminal jury trials, and he has handled dozens of appeals in the U.S. Courts of Appeals for the 2nd, 4th, and 9th Circuits.

Kearns repeatedly has been named among the *North Carolina Super Lawyers* (Thomson Reuters) "Top 10" attorneys in all categories (2016-2022), and selected by his peers for inclusion in *The Best Lawyers in America*® in Bet-the-Company Litigation and Commercial Litigation (2010-2022). He was recognized by *The Best Lawyers in America*® as its 2015 "Lawyer of the Year" for Greensboro in Bet-the-Company Litigation, and is ranked among *Business North Carolina's* Litigation "Legal Elite" (2021).

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BUSINESS LITIGATION

Kearns has represented publicly traded corporations, privately held companies, financial institutions, small businesses, healthcare entities, municipalities, educational institutions, individuals, and the United States government in a wide range of matters including fraud, *qui tam*/whistleblower litigation, class-action defense, unfair trade practices, antitrust, shareholder disputes, breach of contract, environmental, real estate, construction, labor and employment, tax, intellectual property, transportation, and consumer protection. He regularly appears in business cases in federal courts, the North Carolina Business Court, and other state courts.

Kearns repeatedly has been named among the *North Carolina Super Lawyers* (Thomson Reuters) "Top 10" attorneys in all categories (2016-2022), and selected by his peers for inclusion in *The Best Lawyers in America*® in Bet-the-Company Litigation and Commercial Litigation (2010-2022). He was recognized by *The Best Lawyers in America*® as its 2015 "Lawyer of the Year" for Greensboro in Bet-the-Company Litigation, and is ranked among *Business North Carolina's* Litigation "Legal Elite" (2021).

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SERVICES

Appellate

Internal Investigations & Compliance

Federal Litigation

Litigation

White Collar Defense & Investigations

CREDENTIALS

Clerkships

Law Clerk to Chief Judge Sam J. Ervin, III, United States Court of Appeals, 4th Circuit, 1995-96

Honors & Recognitions

Fellow, American College of Trial Lawyers

Permanent Member, Fourth Circuit Judicial Conference

Repeatedly recognized among "Top 10" attorneys, without regard to practice area or specialty, by *North Carolina Super Lawyers* (Thomson Reuters) (2016-2022)

Annually selected by his peers for inclusion in *The Best Lawyers in America*® in White-Collar Criminal Defense (Greensboro "Lawyer of the Year" 2013, 2016, 2018, 2020), Bet-the-Company Litigation (Greensboro "Lawyer of the Year" 2015), and Commercial Litigation (2010-2022)

Recognized by *Chambers USA: America's Leading Lawyers for Business* for Litigation: White-Collar Crime and Government Investigations (Band 1) (2012-2021)

Elected by North Carolina lawyers to permanent inclusion in Business North Carolina's "Legal Elite" Hall of Fame for Criminal Law (2020). Also recognized among "Legal Elite" in Litigation (2021).

Recognized by *Benchmark Litigation* as a "Litigation Star" for North Carolina in White Collar Crime/Enforcements/Investigations (2015-2022)

Distinguished Service Award, Greensboro Bar Association (2020)

"Robinson O. Everett Professionalism Award," North Carolina Bar Association (2010)

Education

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

Duke University, M.A., 1994

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

Admissions

North Carolina

U.S. Supreme Court

U.S. Tax Court

U.S. Court of Appeals for the 2nd, 4th, and 9th Circuits

U.S. District Court for the Western District of New York

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

PROFESSIONAL & CIVIC

President, North Carolina Bar Association (2016-17)

President, Federal Bar Association, Middle District of North Carolina Chapter (2010-11)

Adjunct Law Professor/Lecturer in Trial Advocacy, University of North Carolina School of Law (2009-15, 2018-present)

Adjunct Law Professor, Trial Advocacy, Elon University School of Law (2008)

Trial Advocacy Instructor, U.S. Department of Justice, National Advocacy Center (2007)

Faculty, National Institute for Trial Advocacy Southeast Regional (2006 & 2007)

State Committee, American College of Trial Lawyers (2020-present)

Member, North Carolina Commission on the Administration of Law & Justice (2015-17)

North Carolina Equal Access to Justice Commission (2014-15)

Member, North Carolina Faith and Justice Alliance Steering Committee (2020-present)

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 (2008-2014)

Criminal Justice Act Panel, Middle District of North Carolina (1997-2003, 2007-present)

Chair, North Carolina Bar Association Criminal Justice Section (2007-08)

Chair, North Carolina Bar Association Young Lawyers Division (2004-05)

Board of Directors, Legal Aid of North Carolina (2017-18)

Ex Officio Member, American Law Institute (2016-17)

Life Fellow, American Bar Foundation

Board of Directors, Greensboro Police Foundation

Board of Directors, Greensboro Sports Council (2013-16)

Development Committee, Community Foundation of Greater Greensboro

Co-Director, Rotary Youth Leadership Program (2007)

Chair, University of North Carolina School of Law Alumni Association Community Outreach Committee (2020-present)

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)

Secretary, Rest Haven Summer Sunday School, Pamlico River, Beaufort County, NC

Finance Board & Deacon, Grace Community Church (2004-06)

NEWSROOM

News

Twenty-seven Brooks Pierce Attorneys Recognized by 2022 *North Carolina Super Lawyers*
North Carolina Super Lawyers, 01.13.2022

Thirty Brooks Pierce Attorneys Recognized in Business North Carolina's 2022 "Legal Elite" and "Hall of Fame"

Business North Carolina, 01.03.2022

Brooks Pierce Receives Top Ranking in 2022 Edition of *Benchmark Litigation*

Benchmark Litigation, 10.07.2021

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

The Best Lawyers in America®, 08.19.2021

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

Chambers USA, 05.20.2021

Speaking Engagements

Kearns Davis Presents Annual Federal Criminal Case Law Update

10.07.2021

Brooks Pierce Partner Presents at NCBA Litigation Section CLE

05.12.2021

Brooks Pierce Partner Presents Annual Federal Criminal Case Law Update

09.23.2020

Brooks Pierce Partners Participate in North Carolina Bar Association Expert Series CLE

07.16.2020

Kearns Davis Presents at Mecklenburg County Bar's All-Star Trial Advocacy Continuing Legal Education Event

04.09.2020

Publications

Brooks Pierce Attorneys Complete Series of Guides on NC Litigation Procedures

Practical Law 08.01.2016

How the New Trade Secrets Law May Affect You

05.17.2016

Brooks Pierce Partners Author Litigation Overview Guide

04.09.2015