



James C. Adams II  
PARTNER

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Jimmy Adams is a versatile and seasoned litigator with nearly 30 years of experience in arbitrations and in federal and state courts. Jimmy represents clients on dispute and litigation issues related to noncompetition agreements, taxation, health care, professional malpractice, ERISA and estate litigation, and all types of corporate and commercial disputes.

### CIVIL & COMMERCIAL LITIGATION

Jimmy is an accomplished litigator who is very familiar with the process, strategy and custom at the trial and appellate levels. His goal is to “First, position clients to avoid litigation if possible, and then to maximize their chances for success when litigation arises.”

Jimmy represents large national enterprises, small local companies and individuals on a multitude of issues. He has extensive experience in cases involving post-employment disputes, including covenants not to compete; state and federal taxation disputes; ERISA disputes, estate disputes including caveat proceedings, shareholder and closely-held company litigation; contract disputes; real estate development; accounting and professional malpractice; Certificate of Need (“CON”) applications and litigation; and other health care related issues. Jimmy also has experience in several litigation matters involving interest rate swaps, representing parties in disputes with large financial institutions.

### NON-COMPETITION AGREEMENTS

Jimmy helps employers draft non-compete agreements that comply with the current law. He represents employers in enforcing their agreements with former employees, and also represents employees in disputes against former employers.

## CERTIFICATE OF NEED & HEALTH CARE LITIGATION

Jimmy represents health care providers in litigation involving Certificate of Need applications. Jimmy has represented providers both challenging and supporting decisions by the state, and has also represented providers in granting or denying requests to develop new healthcare facilities or provide new equipment or services.

## ACCOUNTING & PROFESSIONAL MALPRACTICE

Jimmy has extensive experience representing accounting firms and law firms in grievances filed against them by their former clients or their clients' lenders and creditors.

## SERVICES

Complex Business Litigation

Health Care

Labor & Employment

Litigation

Mediation & Arbitration

Professional Liability Litigation

## CREDENTIALS

### Clerkships

Law Clerk to the Honorable Frank W. Bullock Jr., United States District Court, Middle District of North Carolina, 1991-92

### Honors & Recognitions

Recognized in *North Carolina Super Lawyers* (Thomson Reuters) in Business Litigation (2009-2022); recognized in *Super Lawyers Business Edition* for Business Litigation (2015)

Selected by his peers for inclusion in *The Best Lawyers in America*® in Commercial Litigation (2011-2023), Labor & Employment Litigation and Securities Litigation (2008-2023); "Lawyer of the Year" for Litigation: Securities (2015, 2017)

Recognized as a "Litigation Star" by *Benchmark Litigation* for General Commercial (2015-2023)

### Education

**Georgetown University Law Center**, J.D., 1991, *magna cum laude*; Order of the Coif; Articles Editor, *Georgetown Law Review*, 1990-91

**University of North Carolina at Chapel Hill**, B.A., 1988, with honors in economics and distinction, Phi Beta Kappa

### Admissions

North Carolina

U.S. Court of Appeals for the 4th and 8th Circuits

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

### PROFESSIONAL & CIVIC

Member, Council of the Litigation Section, North Carolina Bar Association (2003-2005)

Editor, "Litigator", Newsletter of the North Carolina Bar Association Litigation Section (2001-03)

Member, Litigation Section, North Carolina Bar Association (1992-present)

Member, Litigation and Intellectual Property Sections, American Bar Association (1992-present)

Member, Citizen Lawyer Committee, North Carolina Bar Association

Chairman (2001-03), and Member, Cornerstone Baptist Church (1997-present)

Member, Antitrust and Complex Business Litigation, American Bar Association (2011-present)

Member, Board of Directors, Baptist State Convention of North Carolina (2011-2014); Member, Executive Committee (2012-2015); Chairman, Business Services Special Committee (2012-2015)

Parliamentarian, Baptist State Convention of North Carolina (2008-2014)

## ABOUT ME

### Problems and Puzzles

When my daughter was young she would ask me, “Daddy, what do you do at your job?” I would answer her, “I help people solve their problems.” That’s what being a lawyer is to me, helping people solve their problems. Sometimes that means defending a lawsuit that’s been brought against them. Sometimes it means filing a lawsuit. Sometimes it means having a negotiation. Sometimes it means advising someone how to do something to avoid a lawsuit or dispute. And sometimes it includes several of these. I help people solve problems with former employees or former employers (non-compete agreement cases), problems with business partners (contract disputes or business torts), problems with competitors and regulators (healthcare and certificate of need cases), problems that arise in the performance of their profession (professional negligence cases), and many others.

My approach to solving legal problems is similar to solving a jigsaw puzzle. The first, and sometimes the hardest, part of problem solving is making sure you have all of the pieces. Once you have all of the pieces (or think you do) the next part is putting the pieces together to make the picture you want. As new pieces arrive or are found, they have to fit into the picture, or the picture has to change. In a dispute, your opponent is trying to use the same (or sometimes different) pieces to make a different picture. Once the picture is complete, you use it to convince your opponent they are wrong, or to convince a judge or jury you are right, or to negotiate a resolution. When you are trying to help someone to do something or to avoid a dispute, you use the picture to show the client what the end result may look like so they can decide if they like it.

The fascinating thing about being a lawyer is everyone’s picture is unique to them, and sometimes the same pieces make more than one picture. The skill, and challenge, is knowing what pieces to use and how to use them ... To solve the problem.

## NEWSROOM

### News

*Benchmark Litigation* Recognizes 16 Brooks Pierce Attorneys  
10.13.2022

Brooks Pierce Attorneys Recognized in *The Best Lawyers in America*® 2023 Guide  
08.18.2022

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

Brooks Pierce Receives Top Ranking in 2022 Edition of *Benchmark Litigation*  
*Benchmark Litigation*, 10.07.2021

Brooks Pierce Attorneys Successfully Challenge Will of Wilmington Man  
08.19.2021

### Speaking Engagements

Jimmy Adams to Speak at Bernard Robinson's Annual CPE Symposium  
10.30.2017

Legal Landmines of Social Media Event  
02.21.2012

### Publications

National Labor Relations Board Strikes Arbitration Agreement  
12.20.2019

North Carolina Supreme Court Re-Affirms Classic View of "Blue-Pencil Doctrine" for Non-  
Competition Agreements  
04.04.2016

Accountant's Fiduciary Duty as Independent Auditor  
11.10.2014