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# John N. (Nick) Fountain

OF COUNSEL



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John N. (Nick) Fountain is one of the most experienced attorneys in North Carolina handling professional licensure issues and occupational licensing boards. He has appeared before dozens of the numerous boards and commissions in Raleigh, including the Real Estate Commission, the Appraisal Board, the Banking Commission, the CPA Examiners, N.C. Medical Board, the Dental Board, the Psychology Board, Licensed Professional Counselors and others. He is General Counsel to the State Board of Examiners of Plumbing, Heating and Fire Sprinkler Contractors and to the Board of Examiners of Electrical Contractors. He prosecutes matters on behalf of the Board of Law Examiners. His experience includes cases with the Property Tax Commission, Purchase and Contract and Department of Motor Vehicles. He has assisted clients in more than 80 of the 100 courthouses in North Carolina.

In addition to licensing boards and administrative law matters, Nick has assisted clients in solving business acquisition and shareholder disputes, real estate disputes including boundaries, condemnation, zoning, and restrictive covenants, estate problems and will caveats. Nick is a N.C. Dispute Resolution Commission certified mediator in Superior Court and in the Office of Administrative Hearings. His varied practice and contacts with numerous lawyers and regulators have given him wide recognition and frequent use as a mediator, particularly in business and healthcare matters, including mediation of Certificate of Need (CON) and licensure. Nick has been involved in more than 40 reported decisions in the North Carolina Supreme Court, Court of Appeals, the Business Court, U.S. District Court and the Fourth Circuit. He has held an AV Peer Review Rating from Martindale-Hubbell for more than thirty years.

Nick is part of the Business/Administrative practice teams within the firm and is a past member of our Practice Management Committee. He has served as President of the Wake County and 10th District Bar, on the Board of Governors of the North Carolina Bar Association, as a Bar Councilor and Advisor to the State Bar, and as president of the Raleigh Kiwanis Club. He has received multiple awards for Bar leadership and historic preservation. After graduating from Duke University and receiving his law degree from Wake Forest University, Nick was honored to have begun his practice with a clerkship with Judge (later Justice) David M. Britt.

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## Education & Bar Admissions

- J.D., Wake Forest University School of Law, 1968
- B.A., Duke University, 1965

### Admitted in

- North Carolina, 1968
- U.S. District Courts for North Carolina
- U.S. Court of Appeals for the 4th Circuit
- U.S. Supreme Court

## Focus Areas

- Administrative Law
- Appellate Practice
- Business & Administrative Law
- Business Litigation
- Condemnation & Eminent Domain
- Governmental Affairs
- Licensing Boards & Commissions

## Achievements

- Recipient of the John B. McMillan Distinguished Service Award, North Carolina State Bar (2020)
- Recipient of the Joseph Branch Professionalism Award, Wake County Bar Association (2019)
- Administrative Law Award For Excellence (2019), North Carolina Bar Association Administrative Law Section
- Leaders in the Law Award (2018), *North Carolina Lawyers Weekly*

- Named the *Best Lawyers*® Administrative / Regulatory Law “Lawyer of the Year” in Raleigh (2015)
- Listed in *The Best Lawyers in America*® in the field of Administrative / Regulatory Law (2008-2024)
- Listed in *North Carolina Super Lawyers*® (2007-2016)
- Award of Merit for “Dedicated and Exemplary Professional Service” for over fifty years as Counsel to the North Carolina State Board of Plumbing, Heating and Fire Sprinkler Contractors

## Activities

- Wake County Bar Association
  - President (1989)
  - Bar Candidate Committee, Chair
  - Endowment/Scholarship Committee, Chair
- North Carolina State Bar Council (2007-2019)
  - Grievance, Authorized Practice and Legislative Committees
- North Carolina Bar Association
  - Board of Governors (1985-1988)
  - Administrative Law Section, Chair (2000-2001)
  - Administrative Law Committee, Chair (1982-1984)
  - Administrative Law and Procedure Task Force, Chair (1988-1989)
  - Legislative Advisory Committee, Chair (1991-1992)
  - Alternative Billing Commission, Chair (1996-2000)
  - Endowment Committee, Chair (2001-2004)
- Legal Services of North Carolina
  - Finance Committee, Chair (1982-1985)
  - Access to Justice Campaign, Chair
- Raleigh Kiwanis Club
  - President (2008-2009)
  - Kiwanis Foundation, Past President
  - Kiwanian of the Year (2015)
  - Diamond Zeller Award (2016)
  - Centennial Committee, Co-Chair (2014-2020)

- Raleigh Historic Districts Commission (2005-2011, 2017-2021)
  - Hearings Committee, Chair (2006-2011, 2018-2021)
  - Commission Chair (2019-2021)
- Raleigh Historic Resources and Museum Advisory Board
  - Inaugural Chair and Member (2011-2017)
- North Carolina Supreme Court Museum Board (2011-2014)
- Badger Iredell Law Office Foundation Board (2009-2015)
- Preservation Raleigh Inc, Founding Vice-Chair (2023)
- Yates Mill Associates Volunteer of the Year (2023)
- North Carolina Voter Project, Founding President (2021)

## **Publications & Presentations**

- Lecturer on Administrative Law, the North Carolina Administrative Code, and Issues in Occupational Licensing
- LegalZoom Litigation and Legislation: Progress or Problem? *North Carolina State Bar Journal*, Summer 2017

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### **CONTACT US**

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