



Byron L. Saintsing

PARTNER

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AREAS OF PRACTICE

- Business Litigation
- Commercial Creditor Bankruptcy
- Construction Law
- Equipment Leasing & Finance
- Appellate Law

GET IN TOUCH

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MY PROFILE

If Byron Saintsing could have any superpower, he'd choose the ability to predict the future. In the areas of [business](#) and [construction law](#), equipment leasing and financing, and commercial creditor bankruptcy, Byron says that not a week goes by where he doesn't attempt to do just that. Fortunately for Byron – and his clients – he doesn't need a crystal ball to be the accomplished litigator that he is. After three decades of working closely with clients within these industries, Byron's in-depth industry acumen and business sense are as close to spot-on as one can get. The result is his keen ability to pick up on the subtle patterns within a case that enable him to foresee likely outcomes and guide his clients accordingly.

Creditor clients frequently come to Byron for assistance with workouts and restructurings, as well as receiverships and bankruptcies. Clients in the construction and heavy equipment leasing industries rely on him to handle their mechanics liens, bond claims, delay claims, warranty disputes, and numerous bankruptcy issues. Clients seek Byron out for his ability to foster solutions in cases where the possibility of an equitable resolution seems beyond reach.

Byron earned his B.A. *cum laude* from Wake Forest University and his J.D. *with honors* from the University of North Carolina at Chapel Hill. His deep and refined level of knowledge in his field is prized; in addition to lecturing and extensive [writing](#), Byron edited materials on North Carolina's adoption of Article 2A of the Uniform Commercial Code. He stays informed and up-to-date through involvement in several associations concerned with construction and commercial law, including the [Equipment Leasing and Finance Association](#), where he formerly served as a member of the Legal Forum Committee.

Byron's style of practice emphasizes timely and productive client communication. His clients can rest assured not only that he will keep them up-to-date on the status of their cases, but that he will also anticipate and alert them to encroaching critical events and deadlines. Byron is well known to be a tenacious and zealous advocate for his clients, and his skills are best displayed when solving problems in difficult environments. His colleagues know him to be determined and persistent, yet fair and practical in his litigation. Clients value his ability to provide real-world solutions to their legal challenges, not to mention his sage advice and almost uncanny ability to foresee the set

of probable outcomes from an unusually early point in the process.

MY CREDENTIALS

Admissions

- North Carolina State Bar
- U.S. District Courts for the Eastern, Middle, Western District of North Carolina
- U.S. Court of Appeals for the Fourth Circuit

Education

- J.D., *with honors*, University of North Carolina at Chapel Hill, 1988
- B.A., *cum laude*, Wake Forest University, 1985

Professional Affiliations

- North Carolina Bar Association; Treasurer, Construction Law Section, 2003; Construction Law Council Member, 1995-1998
- Equipment Leasing and Finance Association; Member, Legal Forum Committee, 2003-2005
- [Primerus Law Society](#); Business Law Institute – Commercial Law, Business Law, Bankruptcy Law, Commercial Law, and Construction Law Groups; Chair – North America Business Law Institute
- Turn Around Management Association
- North Carolina Creditors Bar Association

Awards & Recognition

- Top Rated Lawyers™ 2012 Edition for Commercial Bankruptcy and Creditors-Debtor Rights Law
- Listed among [Best Lawyers in America](#) - 2016, 2017, 2018, 2019, 2020
- [Martindale-Hubbell AV Peer Rated](#) for Highest Level of Professional Excellence

Representative Cases

- Syro Steel Company v. S.T. Wooten Construction Co., Inc. et al, unpublished North Carolina Court of Appeals Docket No. 926DC704 (September 21, 1993)
- Bell Atlantic Tricon Leasing Corporation v. Johnnie's Garbage Service, Inc. and Johnnie McBroom, 113 N.C. App 476, 439 S.E.2d 221, (1994), petition for disc rev. denied, 336 N.C. 314, 445 S.E.2d 392 (1994)
- Bell Atlantic Tricon Leasing Corporation v. DRR, Inc., d/b/a Carolina Fleet Service and Maylon H. Fowler, Inc., 114 N.C. App. 771, 443 S.E.2d 374 (1994)
- In re: The Alexander Scott Group, Ltd., 1996 U.S. Dist. Lexis 10121, (M.D.N.C. 1996)
- Carolina Builders Corporation v. The Alexander Scott Group, Ltd., d/b/a Alexander Scott Homes, unpublished North Carolina Court of Appeals (No. COA96-442) March 4, 1997; discretionary rev. improvidently allowed 346 N.C. 276, 487 S.E.2d 539 (1997)
- Miley A. Perry, et. al. v. Carolina Builders Corporation, et al, 128 N.C. App. 143, 493 S.E.2d 814 (1997)
- [Barclays Bank PLC, v. Johnson](#) (North Carolina Court of Appeals – No. COA97-849 – 1998)

- General Electric Capital Corp v. Marketing Research & Management, Inc., 31 Fed. Appx. 138; 2002 U.S. App. Lexis 4740 (4th Cir. 2002)
- Conesco Finance Servicing Corporation v. Dependable Housing, Inc., N.C. Court of Appeals (No. COA01-870) (2002)
- Martin Architectural Products, Inc. vs. Meridian Construction Company, et al 155 N.C. App. 176, 574 S.E.2d 189 (2002)
- Finova Capital Corp. vs. Vitale, No. COA01-897 2002 N.C. App. Lexis 2145 (2002 unpublished)
- Citicorp Vendor Finance, Inc., f/k/a Copelco Capital, Inc. vs. Fitness Plus of Burlington, Inc., d/b/a Powerhouse Gym, and Darrell G. Pendergraph, 2004 N.C.App. LEXIS 191 (2004)
- Carolina Builders Corporation v. Velvet A. Brown, No. COA 04-1222 (2005 unpublished)
- Finova Capital Corporation vs. Short's Pharmacy, Inc. et al, 904 So.2d 57 (La. App. 2005)

Published Articles

- Advanced Real Estate Law in North Carolina, *National Business Institute, Inc.*, December 1996
- Residential and Commercial Evictions, *National Business Institute, Inc.*, October 1998
- Effects of Bankruptcy Chapter, *North Carolina Construction Law Deskbook*, 2000 and 2003, 2010, and 2013 editions
- Real Estate and Bankruptcy Chapter, published in the *North Carolina Bankruptcy Practice Manual*, 1995, 1998 and 2003, 2007, and 2012 editions
- Outside Counsel: How to Effectively Utilize Them Once They Have Been Retained, 2004 [Equipment Leasing and Finance Association Legal Forum](#)
- Norvergence: Isolated Incident or Growing Trend, 2005 – [Equipment Leasing and Finance Association Legal Forum](#)
- Construction Industry – Pitfalls to Avoid, 2008 – [Credit Management Association](#)
- The Future of Social Media – It's Risks and Rewards, 2014 *Equipment Leasing and Finance Association Annual Meeting*
- How Bankruptcy Affects Your Factoring Relationships – The Basics, 2015 – [International Factoring Association Webinar](#)
- Landlords Beware – How to Deal with Tenant Bankruptcies in the United States, 2016 – [Association of Corporate Counsel Webcast](#)
- Warning to Creditors – the Clock is Ticking, [Spring 2018 Issue of the Primerus Paradigm Magazine](#)

ARTICLES & INSIGHTS

September 4, 2019

[Creditors See NC Appeals Court Ruling as Possible Game-Changer](#)

December 15, 2017

[Warning to Creditors: The Clock Is Ticking](#)

July 1, 2014

Five Things to Keep in Mind When Your Customer Files Chapter 11

February 27, 2012

[Mammoth Grading, Inc. Decision Impacts Lien Rights of North Carolina Subcontractors and Suppliers](#)

September 21, 2010

[Possible Impact on North Carolina Lien Waivers](#)

June 1, 2004

[Subcontractor Lien Rights](#)

NEWS

February 9, 2021

[Joe Davies Named Partner at Smith Debnam](#)

January 19, 2021

[Twelve Smith Debnam Attorneys Recognized in 2021 'Super Lawyers' and 'Rising Stars' Lists](#)

November 1, 2019

[Smith Debnam Named in 2020 "Best Law Firms" by U.S. News & World Report and Best Lawyers®](#)

August 15, 2018

[Nine Smith Debnam Lawyers Named to the 2019 Best Lawyers in America® List](#)

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