



Jeff S. Southerland

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Jeff Southerland is a seasoned litigator who represents clients ranging from publicly traded multi-national companies, to closely held businesses, and individuals in complex and critical matters throughout North Carolina and around the country. In particular, Jeff regularly serves as lead counsel for clients throughout North Carolina's state and federal courts, including the North Carolina Business Court, and regularly appears in courts around the country when necessary to protect clients' interests in other jurisdictions.

Outside of the courtroom, Jeff has extensive experience in counseling and representing clients through litigation avoidance efforts, arbitration, governmental investigations, and administrative proceedings.

Jeff's areas of practice include:

- complex commercial collections – relative to secured party, contractors, owners, and developers in recovering collateral and protecting their statutory and common law rights to payment;
- intellectual property – including trade secrets, trade dress, and trademark litigation, closely-held business disputes, including shareholder derivative and fiduciary actions,
- real estate, title, and boundary disputes, contract disputes – including covenants not to compete, and disputes relating to a significant number of corporate governance issues.

Jeff has tried cases to juries in state and federal courts on issues ranging from construction disputes, to failed business deals, health care reimbursement claims, commercial development conflicts, intellectual property, trade secrets, and restrictive covenants, and financial and insurance disputes on behalf of numerous lenders and insurers.

Recent Representative Matters

- Representing a nationwide financing company in the surrender, liquidation, and when necessary litigation, involving more than \$50 million in collateral and enforcement of security and guarantee agreements in more than a dozen contemporaneous actions

SERVICES

Corporate & Finance

Litigation & Dispute Resolution

Employment

Real Estate

EDUCATION

J.D., Wake Forest University School of Law
(2005)

B.A., University of North Carolina at Chapel
Hill (2002)

filed in North Carolina state and federal court and various North Carolina-based bankruptcy courts.

- Representing a manufacturer and distributor, and its officers and directors on alleged counterfeiting, copyright, trademark infringement, unfair competition, and misappropriation of trade secrets in federal court in Illinois seeking tens of millions of dollars in damages from firm clients.
- Representing numerous lenders, contractors, subcontractors, and other secured parties in pursuing repossession, of collateral, enforcement of contractual and statutory payment rights – including bond and lien rights – including working with those clients, outside of litigation to develop and implement “best practices” to improve collection rates and avoid potential violations of state and federal law. When necessary, Jeff also has experience pursuing and protecting the clients’ rights through the bankruptcy, receivership, and liquidation processes.
- Defending a consulting company and its management team on claims of trade secret misappropriation, unfair competition, and numerous other claims in related litigation matters brought simultaneously in federal courts in Ohio and Illinois. The firm’s client ultimately obtained an order entering hundreds of thousands in sanctions against the parties who filed the Ohio action, and the Illinois action was resolved prior to trial.
- Defending developers in a three-week jury trial in North Carolina state court seeking more than \$16 million in damages and to impose personal liability. The jury returned a verdict in favor of the firm’s client
- Defending an aviation company and two of its directors in an action seeking millions in damages for unfair competition and numerous other claims in the North Carolina Business Court. Following a two-week trial, the jury returned a verdict in favor of the firm’s clients.
- Defending a non-profit in an arbitration in Atlanta, Georgia seeking to impose liability on the firm’s client for alleged breaches of a licensing and intellectual property agreement. The arbitrator returned an award completely in favor of the firm’s client.
- Representing a nationwide distributor and manufacturer in numerous matters in state and federal court in North Carolina and Indiana – as both a plaintiff and a defendant – arising out of allegedly defective products sold in violation of the Uniform Commercial Code – while simultaneously representing the client in litigations with its insurer over coverage for the alleged damages.
- Representing numerous employers in administrative investigations by the EEOC and/or Department of Labor arising out of claims of discrimination, and unfair treatment. Jeff has also defended numerous clients in matters involving work place fatalities – working with administrative enforcement bodies in North Carolina, South Carolina and elsewhere, including internationally, to address alleged safety concerns, work with the employers’ insurers, and to defend, when necessary the clients in litigation.
- Defending a closely-held business owner, his company, and his spouse, in a two week jury trial in the North Carolina Business Court arising out of a failed asset purchase, involving complex environmental and indemnity issues, and seeking millions in damages. Following trial, the jury returned a verdict in favor of the firm’s client
- Representing various property owners in boundary and easement disputes, and a myriad number of issues arising out of the development, leasing, use, and sale of real estate

Though Jeff is willing and prepared to take matters to trial – and has extensive experience doing so – he also recognizes that frequently, resolution is the most efficient, and best, business solution. To that end, Jeff works with clients early in the dispute process to understand the potential costs and benefits of litigation, as compared with alternative dispute resolution, and has represented clients in successfully resolving hundreds of hotly-contested and complex matters prior to trial.

During law school at Wake Forest, Jeff was a recipient of both the Lonnie B. Williams and Marvin K. Blount Scholarships.

Outside of the Office

When not practicing law, Jeff can most likely be found coaching a youth sports team, spending time with his family, or cheering on the preeminent North Carolina Tar Heels' basketball team.

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