
Dana H. Hoffman

SHAREHOLDER

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Dana is a litigator, advisor and defender of the transportation, long term care and electric industries. As a litigation team member at Young Moore and Henderson since 1990, Dana has evolved her law practice from the defense of automobile cases for insurance companies to complex defense litigation for motor carriers, nursing homes, and rural electric cooperatives. Her day-to-day activities involve accident scene investigations, consultation with industry or medical experts, and analysis of fact-specific legal issues for her clients, including Schneider National, Inc., U.S. Xpress, Universal Health Care and Federated Rural Electric Insurance Exchange. Dana makes frequent appearances in court at the trial and appellate levels, trying cases and arguing motions in venues ranging from local courtrooms to the Fourth Circuit Court of Appeals. In all these venues in every corner of North Carolina, Dana is proud to serve her clients.

Dana currently serves as President of the Trucking Industry Defense Association (TIDA). She previously served on TIDA's Board of Directors for eight years. Dana has an AV Peer Review Rating from Martindale-Hubbell. Dana joined the firm in 1990 and was appointed a shareholder in 1995.

Education & Bar Admissions

- J.D., Wake Forest University School of Law, 1990
- B.A., University of North Carolina at Chapel Hill, 1987

Admitted in

- North Carolina, 1990
- U.S. District Courts for North Carolina
- U.S. Court of Appeals for the 4th Circuit
- U.S. Supreme Court

Focus Areas

- 24-Hour Accident Response & Investigation
- Health Care Litigation
- Insurance Defense
- Litigation
- Medical Malpractice Defense
- Nursing Home/Long Term Care Litigation
- Professional Liability
- Transportation & Logistics
- Trucking Accidents & Litigation

Achievements

- Recognized in *The Best Lawyers in America*® *Business Edition*, Women in Law (Spring 2017)
- Listed in *The Best Lawyers in America*®, in the field of Personal Injury Litigation–Defendants (2015-2020)
- Partnership Awards, Schneider (2009, 2018)
- Recipient, American Jurisprudence Award

Activities

- Trucking Industry Defense Association (TIDA), Board of Directors (2009-current), Executive Committee Member (2011-current), Secretary (2012- 2015), President-Elect (2015-2017), President (2017-2019)
- Electric Cooperative Bar Association (ECBA)
- Defense Research Institute (DRI), Public Utilities Task Force committee
- N.C. Association of Defense Attorneys
- Federal Bar Association
- North Carolina Healthcare Facility Association
- Wake County Bar Association – Secretary (1998)

Publications & Presentations

- *The Purpose, Process, and Protection of a Post-Accident Root Cause Analysis, For The Defense Magazine* (a publication of DRI), July 2019

- Update on Medical Examiner's Certification Integration, YMH Blog, June 2018
- Are You Being Strategic About Your Life Plan? YMH Blog and Lawyers Mutual *Put Into Practice* Newsletter, April 2018
- Treble Damages Upheld: Insurance Company's Issuance of Settlement Check to Pro Se Claimant Violates Lien Statute and Constitutes Unfair and Deceptive Trade Practice Per North Carolina Court of Appeals, YMH Blog, August 2017
- ADA Toolkit for Website Compliance, ALFA International Client Seminar, author and moderator, March 2017
- Thinking Ahead: Essential Steps for Incident Investigation, North Carolina Electric Membership Corporation (NCEMC), presenter, March 2017
- Skills Course, Trucking Industry Defense Association (TIDA), course planner and presenter, on-going presentations
- How Do I Know If My Website Is ADA Compliant?, Legal Marketing Association Southeast Region (LMASE), Raleigh Local Group Meeting, June 2016
- "The Changing Landscape of Websites and ADA Compliance," Lawyers Mutual Put Into Practice Newsletter, May 2016.
- "Court Rules Lack of Appropriate Training Justifies Punitive Award in NC," Trucking Industry Defense Association (TIDA) Newsletter, Summer, 2013.
- "Evidence Preservation/Spoliation," ACI 3rd National Forum on Defending and Managing Trucking Litigation, November 2012.
- "Utilization of Accident Resources at the Scene," Trucking Industry Defense Association (TIDA), recurring.
- "More Medical Issues," Trucking Industry Defense Association (TIDA) Newsletter, Fall, 2009.
- "Sleep Apnea – Emerging Concerns for Driver Safety," Trucking Industry Defense Association (TIDA), presenter, October 2008.
- Autumn Conference, course planner and presenter (2006, 2009, and 2012)
- "Defense Strategies in Long Term Care Litigation," speaker, 2004
- "Just the Facts – What Every Attorney Should Know about Nursing Homes," North Carolina Bar Association Seminar, course planner and presenter, 2003
- "Mentally Jousting with a Fully Armed Opponent," North Carolina Bar Association Seminar, author and presenter, 2002
- "Analog Law in a Digital World," International Client Seminar:ALFA, moderator, 1999.
- "Adjusting the Automobile Injury Claim," National Business Institute, lecturer and author, 1998.
- "American Inns of Court Series on North Carolina Civil Procedure," West Group, contributing author, 1996.
- A Practical Guide to North Carolina Insurance Law: Bad Faith Claims and Bad Faith Avoidance, co-author, 1996

Milestones

Although it is rare to recover money for a client who is named as a defendant, Dana's aggressive defense of a national trucking company resulted in such a favorable outcome in a wrongful death action. Arbitrations are becoming more commonplace in litigation. Dana has successfully argued for the enforcement of her clients' arbitration agreements in several North Carolina courts. Dana and her team have also achieved very favorable outcomes for these same clients following multi-day arbitration hearings. In her latest arbitration hearing, the panel of arbitrators entered an award very favorable to Dana's client (and significantly lower than any settlement demands made by the plaintiff).

Disclaimer: The above information may not necessarily reflect the attorney's entire record, and the outcome of any particular future matter cannot be predicated on the attorney's or law firm's past results.

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