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# Reed N. Fountain

SHAREHOLDER

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A large part of Reed's practice is focused in the areas of occupational licensing boards and administrative law. He has helped clients facing inquiries from a variety of Boards including: the Board of Dental Examiners, Medical Board, Board of Pharmacy, Board of Nursing, Psychology Board, Board of Education, Auctioneer Licensing Board, Commissioner of Banks, Real Estate Commission, Private Protective Services Board, Board of Examiners for Engineers and Surveyors, and Alarm Systems Licensing Board. He has also engaged in litigation and negotiations with the DENR regarding CAMA regulations, sedimentation control regulations and water quality regulations. He has assisted businesses and individuals facing inquiries from the DHHS.

Another substantial focus of Reed's practice is in the area of Estate and Fiduciary Litigation. He has experience in cases involving will caveats, trust disputes and claims of breach of fiduciary duty. These cases often involve a fact intensive evaluation of matters for questions of competency and undue influence as well as the ability to analyze both financial and medical records.

For his business clients, Reed has resolved disputes surrounding business valuation and asset purchase agreements, leasing and lien disputes, and breach of contract claims. He has also successfully negotiated land condemnation settlements with the N.C. Department of Transportation and municipalities.

Reed has represented clients throughout North Carolina in jury trials, bench trials, arbitrations, voluntary mediations, and administrative hearings. He has appeared before the North Carolina Supreme Court and the North Carolina Court of Appeals. He is experienced in conducting mediations and is available for mediations locally.

Reed joined the law firm in 1996 and has been a shareholder since 2003. He has an AV Peer Review Rating from Martindale-Hubbell

## Education & Bar Admissions

- J.D., University of North Carolina School of Law, 1996
- B.A., Duke University, 1993

### **Admitted in**

- North Carolina, 1996
- U.S. District Courts for North Carolina

### **Focus Areas**

- Administrative Law
- Appellate Practice
- Business & Administrative Law
- Business Litigation
- Condemnation & Eminent Domain
- Environmental Litigation
- Estate Litigation & Fiduciary Dispute Resolution
- Governmental Affairs
- Licensing Boards & Commissions

### **Achievements**

- Listed in *The Best Lawyers in America*®, in the field of Administrative / Regulatory Law (2015-2020)
- Raleigh Chamber of Commerce Leadership Raleigh 27 Graduate
- Listed in *North Carolina Super Lawyers*® (2014-2019)
- Listed in *North Carolina Super Lawyers*® in the “*Rising Stars*” category (2010)
- Recipient of the 2009 President’s Award of Excellence for Exemplary and Dedicated Service from the Tenth District Judicial Bar
- Listed in *Business North Carolina’s Legal Elite* (2008 & 2014)
- Holderness Moot Court, Negotiation Team, University of North Carolina at Chapel Hill

### **Activities**

- Wake County Bar Association

- Board of Directors (2002-2003; 2009-2010)
- Young Lawyers Division Board of Directors, Past Member
- Tenth Judicial District Bar
  - Bar Candidate Committee, Chair
  - Professionalism Support Initiative, Past Member
  - Memorial Committee, Co-chair
  - Fee Dispute Resolution Committee, Member
- North Carolina Bar Association
  - Administrative Law Section, Past Chair
  - Administrative Law Section Newsletter, Past Editor
  - Membership Recruitment and Retention Committee, Past Member
  - Young Lawyers Division
    - Executive Council, Past Member
    - Prelaw Counseling Committee, Past Co-Chair
- Defense Research Institute Member
- Volunteer Lawyers Program
- Kiwanis Club
- White Memorial Presbyterian Church
  - Deacon and Sunday School Superintendent

## **Publications & Presentations**

- “So Your Testimony Has Been Requested . . . .,” presenter, Annual Medical Staff Meeting of the Davis Regional Medical Center, Fall 2018
- “Medical Board Compliance Tips,” presenter, Annual Medical Staff Meeting of the Davis Regional Medical Center, Fall 2016
- “Occupational Licensing Agencies Best Practice Seminar,” organizer and presenter, 2015, 2016, 2017, 2018 & 2019
- “Hot Topics in Risk Management Including: Data Breaches, Drones, and Classification of Employees Versus Independent Contractors By Real Estate Firms,” presenter, North Carolina Association of Realtors Risk Management Committee, January 2016
- “Representing Clients with Diminished Capacity,” panel participant, 36th annual North Carolina Estate Planning and Fiduciary Law Program, July 2015

- “Possible Reductions in State Boards and Commissions?” *Administrative Lawyer*, Vol. 22, No. 3, June 2010, p. 7.
- “Can you Hear Me Now?” *Hot Topics in Administrative Law*, speaker, North Carolina Bar Association Seminar, April 2008
- “Preparing and Presenting Enforcement Cases,” North Carolina Licensing Boards’ Joint Investigators’ Conference, speaker, Fall, 2007
- “The Basics of Other Administrative Hearings,” *Administrative Lawyer*, Vol. 17, No. 2, (2005)
- “All that Jazz!! From Administrative Appeals to Rule Making: The Trials Facing the Administrative Lawyer Don’t Miss a Beat!!” North Carolina Bar Association Seminar, 2004

## Milestones

- *Liller v. Quick Stop Food Mart, Inc.*, 131 N.C. App. 619, 507 S.E.2d 602 (1999).
- *North Carolina School Boards Ass’n v. Moore, et al.*, 359 N.C. 474, 614 S.E.2d 504 (2005).
- *Holshouser v. Shaner Hotel Group Properties One Ltd. Partnership* 134 N.C. App 391, 518 S.E.2d 17 (1999).
- *Davis v. General Motors*, 149 N.C. App. 667, 562 S.E.2d 605 (2002).
- *Gough v. North Carolina State Board of Examiners of Plumbing, Heating and Fire Sprinkler Contractors* WL 1668999, 615 S.E.2d 739 (2005).
- *Klein v. State Bd. of Examiners of Plumbing, Heating And Fire Sprinkler Contractors*, 2008 WL 706965, 659 S.E.2d 99, N.C.App. (2008) (NO. COA07-637)

*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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