



Bradley M. Risinger

Partner

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Brad litigates and tries commercial disputes. Trained as a journalist, he focuses on "learning a client's story" and using it to answer the practical questions judges, jurors and arbitrators have about an industry or business practice which is most often new to them.

Brad's work on business litigations and complex contract disputes regularly brings him before the North Carolina Business Court. In product liability settings he focuses on product defect, design and manufacturing issues, as well as pharmaceutical products, services and medical device claims. He works regularly on municipal consideration of land use and zoning matters, including many aspects of solar energy development, and has extensive experience with direct appeals to Superior Court of local government decisions. Brad also regularly works on issues related to the Driver's Privacy Protection Act (DPPA), and its interaction with state public records laws. He also handles complex civil matters for municipal clients, as well as multi-party environmental cases, including CERCLA cost recovery issues for waste generators and alleged arranger/disposer transactions.

Brad has served as national, regional and local counsel in multi-jurisdiction, multi-plaintiff litigations, and been responsible for coordinating discovery, trial preparation, and alternative dispute resolution mechanisms in hundreds of cases. He is also certified by the North Carolina Dispute Resolution Commission as a Superior Court mediator.

Before Fox Rothschild

Brad was a partner at Smith Moore Leatherwood LLP, which combined with Fox Rothschild in 2018.

Beyond Fox Rothschild

Brad is actively involved in the United Way of North Carolina, and has served in multiple leadership roles within the organization, including chair and vice chair of its board of directors. He also served as vice chair of the board of directors of NC 2-1-1, the free, confidential 24-hour information and referral service provided by the United Way of North Carolina.

Client Resources

It's Just Business Blog

Brad contributes to this blog, which provides analyses of North Carolina Business Court decisions. The goal of this blog is to arm businesses with the information they need to adjust their legal strategies as the case law evolves.



[View Blog](#)

Honors & Awards

- Selected by his peers as Raleigh *Best Lawyers* Lawyer of the Year (Woodward/White, Inc.), Real Estate (2014)
- Named to "The Best Lawyers in America" list for Product Liability Litigation (2013-2021), Land Use and Zoning Litigation (2014-2021) and Land Use and Zoning Law (2019-2021) in North Carolina by *Best Lawyers*
- North Carolina *SuperLawyers*, listed General Litigation (2014-2020)
- Benchmark Litigation, North Carolina Litigation Star (2016-2020)
- Selected by *Triangle Business Leader* Magazine as a Top 50 Entrepreneur 2012
- Rated AV Preeminent™ by Martindale-Hubbell®

Practice Areas

- Litigation
- Antitrust
- Zoning & Land Use

Bar Admissions

- Pennsylvania
- North Carolina
- District of Columbia

Court Admissions

- U.S. District Court, Middle District of North Carolina
- U.S. District Court, Eastern District of North Carolina
- U.S. District Court, Western District of North Carolina
- U.S. District Court, District of Columbia
- U.S. Court of Appeals, Fourth Circuit

Education

- Indiana University (B.A., *with high distinction*, 1986)
- Georgetown University Law Center (J.D., *cum laude*, 1990)

Memberships

- Product Liability Advisory Council (PLAC)
- North Carolina Association of Defense Counsel
- Defense Research Institute; Drug and Medical Device Committee
- American Bar Association

Board of Directors



- United Way of North Carolina Board of Directors (2007-17): President/CEO search committee chair (2014); Board chair (2012-13); Board vice chair, and co-chair of Public Policy Committee (2010-11)
- NC 211 Board of Directors, vice chair (2015-17)

Representative Work

Business Litigation

- Lead counsel for law firm defendants in class action alleging violations of Driver's Privacy Protection Act (DPPA) for use of public records
- Represented plaintiffs' law firm in multi-year dispute over attorneys' fees from nationwide discrimination class action, including service as lead counsel in two AAA arbitrations
- Defended software company in dispute over licensing fees and industry usage of contracting terms at federal trial and appellate levels
- Represented international agriculture machinery manufacturer in Business Court dispute over financing agreements and transactional accounting practices
- Counsel for start-up medical device company in technology ownership dispute with affiliated physician
- Represented numerous North Carolina hospitals in government investigation of accounting and billing practices
- Represented potentially responsible parties (PRPs) in connection with clean up of a New England landfill, and a PCB-contaminated site in North Carolina

Product Liability

- Served as southeastern regional coordinating counsel for a medical device manufacturer, with direct responsibility for coordinating litigation activities in numerous states and mediation/settlement work in hundreds of cases
- Defense of design, manufacture and use of specialized trucks to contain and transport hazardous substances in support of semiconductor facility
- Defense of engineering design and project management for a municipal wastewater treatment facility
- Represented hospital client in multiple litigations regarding contaminated products provided by a compounding pharmacy
- Defended multiple litigations involving the design, manufacture and distribution of commercial roofing systems
- Defense of catastrophic fire litigations involving chemical explosions and allegedly defective machinery
- Coordinating counsel for defense of asbestos claims in North Carolina and Georgia for a major manufacturer of commercial roofing products

Land Use and Zoning

- Represented solar farm developers in Superior Court appeals of permit denials by city and county entities
- Represented bank and development interests in challenge to denial of development proposal as inconsistent with Planned Development District rules
- Represented special use permit holder, at trial and on appeal, over issues related to restrictive covenants and municipal authority



- Counsel for developer in Business Court dispute over obligations of an infrastructure development agreement.

Municipalities

- Defense of county defendants, through summary judgment, on unlawful termination, whistleblower and tortious interference with contract claims
- Defense of municipal ordinance setting minimum health and safety standards for rental housing units from federal and state constitutional challenges
- Represent city in constitutional challenge by abortion opponents of ordinance regulating protest activities
- Defense of county in dispute over approval process for extensive mixed-use development with complex zoning and environmental issues

Reported Decisions

- [*Island Grove Solar, LLC, et al. v. Robeson County*](#), No. 18 CvS 00308, slip op. (Superior Court, Robeson County, N.C. April 19, 2018)
- [*North Carolina Farm Bureau Mutual Insurance Co. v. Clear Technology, Inc and Versata Enterprises, Inc.*](#), No. 13-2274(Fourth Circuit Court of Appeals, Feb. 4, 2015)
- [*Geer Street Properties, LLC v. Town of Wake Forest, North Carolina*](#), No. 14 CvS 00580, slip op. (Superior Court, Wake County, N.C. Aug. 11, 2014)
- [*Fifth Third Bank v. Town of Cary*](#), No. 14 CvS 1532, slip op. (Superior Court, Wake County, N.C. June 4, 2014)
- [*Eastover Farm, LLC v. City of Laurinburg*](#), No. 13 CvS 455, slip op. (Superior Court, Scotland County, N.C. Jan. 24, 2014)
- [*Robinson v. Bowser, et al.*](#), 2013 WL 5655434 (M.D.N.C. 2013)
- [*Boyd v. James Scott Farrin*](#), 958 F.Supp.2d 232 (2013)
- [*McCrann v. Pinehurst, LLC, et al.*](#), 737 S.E.2d 771 (2013), *rev. denied*, 743 S.E.2d 221 (2013)
- [*McCrann v. Village of Pinehurst*](#), 716 S.E.2d 667 (2011)
- [*Wake County Board of Education v. Dow Roofing Systems, et al.*](#), 792 F. Supp.2d 897 (2011)
- [*Godwin v. City of Dunn*](#), 2010 WL 2813513 (E.D.N.C. July 16, 2010)
- [*Rakestraw v. Town of Knightdale*](#), 654 S.E.2d 825, *aff'd* 362 N.C. 237 (2008)