



Jeffrey P. MacHarg

Partner

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Jeff is Managing Partner of the firm's Charlotte office and a trusted legal adviser, strategic litigator and relentless adversary.

Clients rely on Jeff to navigate their most complex, nontraditional commercial disputes. His representations span a range of industries, including nuclear energy, banking, transportation, manufacturing and insurance. His clients include large corporations, closely held businesses and individuals – though the common thread between most engagements is their complexity.

For new clients, Jeff invests early to learn and understand their core business, business goals and how their legal issues impact the bottom line. When litigation is unavoidable, Jeff provides thorough guidance, thoughtful strategy and tireless advocacy. Knowing the client's business ensures that litigation presents a realistic and achievable solution.

Jeff has helped clients with range of business disputes and litigation, including:

- Commercial contracts
- Construction contracts
- Trade secret disputes
- Transportation and cargo claims
- Lender liability and loan servicing issues
- Manufacturing and product liability litigation
- Shareholder agreements and closely held company disputes
- Commercial lease disputes

Jeff appears and litigates before the state and federal courts in North Carolina and other jurisdictions, including North Carolina's Business Court, and he has tried matters to decisions before arbitrators and federal and state juries.

Services

- Litigation
- Trade Secrets & Restrictive Covenants
- Energy & Natural Resources Litigation
- Financial Services Industry
- Privacy & Data Security
- Construction

- Manufacturing
- Transportation & Logistics

Representative Matters

Recently, Jeff has represented:

- Numerous companies both asserting and defending construction and defect-related claims.
- Privately held technology company, successfully defending bet-the-company allegations of trade secret theft and unfair competition.
- A closely held manufacturer on a range of internal corporate and litigated issues, including disputes with customers, suppliers and shareholder creditor claims seeking attachment.
- A large company in the energy industry pursuing a claim against a Charlotte-based utility stemming from the utility's decision to terminate an engineering, procurement and construction (EPC) contract for a nuclear power plant.
- A company founder and minority owner in a contentious jury trial against other owners involving issues including minority shareholder oppression, derivative claims, wrongful termination and breach of fiduciary duty.
- Several companies involving alleged theft and misappropriation of trade secrets, proprietary information and commercially sensitive information by former employees and competitors.
- A national franchisor in a commercial lease dispute involving claims of breach, constructive eviction and mold remediation.
- A national company defending product-related claims of negligence and breach of contract alleged to have caused serious bodily injury.
- Numerous lenders, servicers, and real estate developers in disputes involving claims of predatory lending, selling and servicing activities.
- A large insurance company in a contract dispute with a commercial broker over commissions alleged to be due for placement of corporate owned life insurance (COLI).
- An insurance company and health care provider in a dispute over the cause of and responsibility for mold in a leased property.
- A closely held company in a contentious dispute with a large banking institution over the suitability of a complex lending transaction that involved interest rate swap agreements.
- Several large insurance companies in product liability and negligence actions as a plaintiff and subrogee.

Client Resources

It's Just Business Blog

Jeff is a regular contributor to the firm's It's Just Business blog, providing analysis of important rulings issued by the North Carolina Business Court. His posts often focus on issues uniquely applicable to out-of-state clients litigating in North Carolina. Staying on top of these cases – as well as other appellate and federal court decisions – is essential for companies that need to anticipate and respond quickly to changes in the law.

[View Blog](#)

Before Fox Rothschild

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

Before relocating to Charlotte, NC and joining Smith Moore Leatherwood in 2007, Jeff practiced law in Pittsburgh in the complex commercial litigation group of an AmLaw 100 law firm. Prior to that, he was a Supply Officer in the United States Navy.

Honors & Awards

- Named a "Stand-Out Lawyer" by Thomson Reuters (2024)
- Named to the "Managing Partners to Watch" Power List by *North Carolina Lawyers Weekly* (2023)
- Named to the list of Client Service All Stars by BTI Consulting Group (2023)
- Named to the "Legal Elite" list by *Business North Carolina* for Litigation (2021)

- Selected by *Law & Politics Magazine* for inclusion in North Carolina *Super Lawyers*-Rising Stars Edition, Business Litigation, 2012

Bar Admissions

- North Carolina
- Pennsylvania

Court Admissions

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

Education

- George Washington University Law School (J.D., *with high honors*, 2002)
 - Order of the Coif
- Duke University (B.A., 1995)
 - History