



## Neale T. Johnson

Partner

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Neale practices construction law (transactional and dispute resolution), title insurance claims and coverage, real estate litigation, financial services litigation and general commercial litigation.

He assists owners, designers, general contractors and trade contractors with contract negotiation, dispute avoidance and dispute resolution. Neale has prepared and negotiated agreements involving public and private projects, including design agreements, design-build agreements, construction manager at risk and multi-prime contracting models.

**Neale "is always on point with his advice, and knows how to take an issue as it is and make the best of it."**

~ Chambers USA confidential interview of construction industry client

Neale leverages more than 20 years of construction litigation experience to help clients identify and allocate business risks during contract negotiation to reduce conflict during the project. His experience in construction litigation and alternative dispute resolution includes the full range of public and private construction disputes, including claims involving:

- contract interpretation
- delay and acceleration
- unknown, unforeseen or concealed conditions
- labor inefficiency
- warranty and construction defects
- nonpayment, liens and bonds
- bid protests
- licensing issues

Neale helps clients resolve disputes involving real estate, title insurance claims and coverage, financial services/banking, collections and general commercial disputes. He has extensive experience in prosecuting and defending claims in court and arbitration, as well as collaborative practice (a form of lawyer-assisted bilateral negotiation) and mediation.

He represents banks and borrowers in a variety of financial services disputes, including securities disputes, judgement enforcement, enforcement of loan documents, foreclosure/claim and delivery to recover collateral. Neale's experience includes both retail and commercial lending.



Neale partners with clients and advises other lawyers on e-discovery issues and employs legal project management techniques to control matter schedules and cost. He is certified as a Superior Court Mediator by the North Carolina Dispute Resolution Commission.

### **Before Fox Rothschild**

Neale was a partner and Construction Industry Leader at Smith Moore Leatherwood LLP, which combined with Fox Rothschild in 2018. He also served as a commissioned officer in the Marine Corps and Marine Corps Reserves from 1988-2004, and was an Artillery Fire Direction Officer and Platoon Commander during operations Desert Shield and Desert Storm.

### **Beyond Fox Rothschild**

Neale is an adjunct professor at Elon University School of Law. He teaches pretrial, deposition and trial practice courses.

### **Honors & Awards**

- Recognized by *Chambers USA* for Construction - North Carolina (2019-2020)
- Named to North Carolina *Super Lawyers*, listed Real Estate (2014-2016), Construction Litigation (2017-2021)
- Selected to *Super Lawyers Business Edition* list, Real Estate (2014, 2015)
- Named to "The Best Lawyers in America" list for Construction Law and Litigation - Construction (2018-2021) and Litigation - Real Estate (2021) in North Carolina by *Best Lawyers*
- Recognized in *Business North Carolina's* Legal Elite for Construction (2010, 2012-2014, 2017-2021) and Litigation (2021)
- Rated AV Preeminent™ by Martindale-Hubbell®



### **Practice Areas**

- Construction
- Alternative Dispute Resolution
- E-Discovery
- Financial Services Industry
- Litigation
- Real Estate
- Title Insurance

### **Bar Admissions**

- North Carolina

### **Court Admissions**



- U.S. Supreme Court
- U.S. Court of Appeals, Fourth Circuit
- U.S. Bankruptcy Court, District of North Carolina
- U.S. District Court, Eastern District of North Carolina

### Education

- University of Virginia School of Law (J.D., 1998)
  - Shannon Award
  - Order of the Coif
  - Law Review
- University of South Carolina (B.A., *magna cum laude*, 1988)
  - Phi Beta Kappa

### Memberships

- American Bar Association Forum on Construction Law
  - Division 9 Chair and Chair-Elect (2018)
  - Midwinter Meeting Program Co-Chair (2017)
- American Bar Association Litigation Section
- North Carolina Bar Association
  - Member, Construction Section
  - Co-editor, NCBA Construction Section's North Carolina Construction Law Deskbook, Eighth Edition
  - Member, Litigation Section