

Carlos E. Mahoney
Curriculum Vitae

- Contact Information:** Glenn, Mills, Fisher & Mahoney, P.A.
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- Legal Employment:** Glenn, Mills, Fisher & Mahoney, P.A., Durham, NC
(Formerly Glenn, Mills & Fisher, P.A.) Partner, January 2004 – present; Associate, September 1999 - December 2003
- Areas of Practice:** Civil Litigation - Personal Injury and Wrongful Death, Civil Rights, Commercial and Business Law, Employment Law, Trusts and Estates Litigation, and Professional Negligence
- Bar Admissions:** U.S. Supreme Court, 2008
U.S. Court of Appeals for the Fourth Circuit, 2006
U.S. District Court Western District of North Carolina, 2002
U.S. District Court Eastern District of North Carolina, 2001
U.S. District Court Middle District of North Carolina, 2000
North Carolina, 1999
- Education:** JD, 1999, University of North Carolina School of Law
BA, 1996, University of North Carolina, Chapel Hill, NC
- Professional Training and Appointments:** Appointed to Merit Selection Panel for Recommendations on U.S. Magistrate Judge, United States District Court for the Middle District of North Carolina, 2012
Indigent Defense Services, Eligible for appointment to capital post-conviction cases in North Carolina, 2008-present
Trial Advocacy, National Institute for Trial Advocacy, Southeast Regional Session, Chapel Hill, NC, May 2002
- Professional Awards:** Martindale-Hubbell: Awarded an AV Preeminent® rating (5.0), June 2014
American Board of Trial Advocates: Associate, Eastern North Carolina Chapter, October 2010 (membership awarded in November 2007)
North Carolina Super Lawyers, 2014-17
North Carolina Super Lawyers - Rising Star, 2010-13
Business North Carolina - Legal Elite (Litigation), 2015

Business North Carolina - Legal Elite (Young Guns), 2008
North Carolina Leaders in the Law - Honoree, 2016
The National Trial Lawyers, Top 40 Under 40 in NC, 2012-14
NCATL: Ebbie Award for Exceptional Service and Inspired
Commitment, June 2006

**Membership Positions:
(Current)**

Board of Directors, Executive and Finance Committees, ACLU
Board of Directors, Finance and Legal Committees, ACLU of North
Carolina (former President, 2009-11)
Board of Directors, Center for Death Penalty Litigation
President-Elect, Eastern NC Chapter of ABOTA

Publications:

North Carolina Prima Facie Tort Manual, edited Chapters on
Assault and Battery and False Imprisonment (6th Ed. 2014)
North Carolina Personal Injury Lien Manual, co-authored Chapter
on Ethics of Liens and Disbursements with Michael A. Jordan,
(3rd Ed. 2014)
Trial Briefs, "Qualified Immunity in an Excessive Use of Force
Case: *Phelps vs. Carter*," co-authored with Stewart W. Fisher,
October 2011
Trial Briefs, "A Practical Guide to Avoiding the Sovereign
Immunity Defense in Claims Against Municipalities,"
December 2006
Trial Briefs, "ERISA: Ethics and Pitfalls," co-authored with
Michael A. Jordan, December 2005
Trial Briefs, "Undocumented Immigrants' Right of Access to
North Carolina Courts," June 2004

CLE Presentations:

NCAJ: Insurance Coverage Issues in Claims Against Governmental
Entities and Public Officials/ Employees, January 29, 2016
NCAJ: Ethical Issues When Representing Minors and Persons with
Disabilities, November 20, 2015
NCAJ: Chair, Trial of a Motor Vehicle Accident Case,
September 13, 2013
NCAJ: An Overview of Federal Litigation From Pleadings
Through Dispositive Motions, June 15, 2013
Lorman Education Services: Police Liability in North Carolina -
§ 1983 Claims and Defenses, October 25, 2012
NCAJ: The State's Right to Recover Medicaid Payments from
Third-Party Liability Settlements after *EMA v. Cansler*,
September 21, 2012
NCAJ: Depositions - Greatest Hits and When It All Fell Apart,
June 19, 2012

NCAJ: Implications of *EMA v. Cansler* on Medicaid Liens, May 16, 2012 (webinar CLE)
NCAJ: Law Enforcement Misconduct, May 4, 2012
NCAJ: Demystifying State Tort Claims, February 3, 2012
NCAJ: Deposition Skills Training, November 18, 2011
NCAJ: New Admittee Professionalism Program, Mentoring and Role Models, September 29, 2011
NCAJ: Voir Dire Trial Skills: Putting Theory into Practice, April 8, 2011

Twenty-One Additional CLE Presentations from 2004-2010 on Civil and Evidentiary Issues for the North Carolina Advocates for Justice, North Carolina Paralegal Association, Wake Forest, and the North Carolina Bar Association

Reported Decisions:

Law Offices of Peter H. Priest, PLLC vs. Coch, ___ N.C. App. ___, 780 S.E.2d 163 (2015), *review denied*, 368 N.C. 689, 781 S.E.2d 479 (2016)
Green ex rel. Crudup vs. Kearney, 367 N.C. 113, 748 S.E.2d 143 (2013) (amicus curiae)
State vs. Gamez, 228 N.C. App. 329, 745 S.E.2d 876, *review denied*, 367 N.C. 256, 749 S.E.2d 848 (2013)
Mancinelli vs. Momentum Research, Inc., 2012 NCBC 28 (2012)
Mancinelli vs. Momentum Research, Inc., 2012 NCBC 4 (2012)
Fraley vs. Griffin, 217 N.C. App. 624, 720 S.E.2d 694 (2011) (amicus curiae)
State vs. Dubose, 208 N.C. App. 406, 702 S.E.2d 330 (2010)
In re Will of Baitschora, 207 N.C. App. 174, 700 S.E.2d 50 (2010)
AEL Financial LLC vs. City Auto Parts of Durham, Inc., 70 UCC Rep. Serv. 2d 230 (N.D. Ill. 2009)
Woods vs. Mangum, 200 N.C. App. 1, 682 S.E.2d 435 (2009), *affirmed*, 363 N.C. 827, 689 S.E.2d 858 (2010)
Argonaut Great Central Ins. Co. vs. McDowell County, 626 F.Supp.2d 554 (W.D.N.C. 2009)
Andrews ex. rel. Andrews vs. Haygood, 362 N.C. 599, 669 S.E.2d 310 (2008), *cert. denied*, 129 S.Ct. 2792 (2009) (amicus curiae)
State vs. Dewalt, 190 N.C. App. 158, 660 S.E.2d 111, *review denied*, 362 N.C. 684, 670 S.E.2d 906 (2008)
Jones vs. City of Durham, 183 N.C. App. 57, 643 S.E.2d 631 (2007)
Sitzman vs. Government Employees Ins. Co., 182 N.C. App. 259, 641 S.E.2d 838 (2007)
Jones vs. City of Durham, 361 N.C. 144, 638 S.E.2d 202 (2006)
Massasoit vs. Carter, 439 F.Supp.2d 463 (M.D.N.C. 2006),

affirmed, 2007 WL 3390462 (4th Cir. 2007) (unpublished), *cert. denied*, 128 S.Ct. 2933 (2008)
Massasoit vs. Carter, 227 F.R.D. 264 (M.D.N.C. 2005)
Lassiter vs. Cohn, 168 N.C. App. 310, 607 S.E.2d 688, *review denied*, 359 N.C. 633, 613 S.E.2d 686 (2005)
Jones vs. City of Durham, 168 N.C. App. 433, 608 S.E.2d 387 (2005)
Barnes vs. Wells, 165 N.C. App. 575, 599 S.E.2d 585 (2004)
In re Will of Smith, 159 N.C. App. 651, 583 S.E.2d 615, *review denied*, 357 N.C. 657, 590 S.E.2d 861 (2003)

Notable Verdicts, Settlements, and Rulings

(Disclaimer: The outcome of a particular case cannot be based on this law firm's past results)

- May 6, 2016: \$800,000.00 settlement in a civil action for the wrongful death of a 41-year-old man in a tractor-trailer accident in western North Carolina. Reported in NC Lawyers Weekly on October 4, 2016. Handled with Jason A. Orndoff.
- January 15, 2016: \$257,833.73 award following a trial before the Industrial Commission for personal injuries suffered by a 4-year-old boy in a school bus accident. After the assessment of court costs, the total recovery was \$279,189.83. Reported in NC Lawyers Weekly on October 4, 2016.
- September 16, 2014: \$475,000 total settlement in a Federal civil rights action for two women who were sexually harassed by a deputy sheriff. Reported in NC Lawyers Weekly on September 29, 2014. Handled with Josh Van Kampen and Sean Herrmann.
- September 14, 2012: Confidential settlement in a Federal civil rights action for the wrongful conviction of a man for first-degree murder. Order on defendants' motion to dismiss reported in NC Lawyers Weekly on June 14, 2012. Handled with Frank Goldsmith and Jessica Leaven.
- August 27, 2012: \$1,000,000 settlement in a Federal civil rights action for personal injuries suffered by a 53-year-old man who was shot with a taser by a deputy sheriff. Order denying summary judgment reported in NC Lawyers Weekly on July 6, 2012. Handled with Lee Olive.
- July 13, 2012: \$200,000 verdict in a Wake County civil action for personal injuries suffered by a male motorist in a motor vehicle accident. After the assessment of court costs and interest, the total recovery was \$238,191.03. Handled with Randolph (Tré) Morgan, III.
- October 27, 2009: \$850,000 verdict (\$650,000 for compensatory damages and \$200,000 punitive damages) in a Federal civil rights action for personal injuries suffered by a 27-year-old man in a police shooting by a deputy sheriff. The case was subsequently settled for \$1,230,000. Reported in NC Lawyers Weekly on December 7, 2009. Handled with Stewart W. Fisher.
- March 6, 2009: \$5,500,000 total verdict in a McDowell County civil action for personal injuries suffered by a female motorist (\$2,500,000), personal injuries suffered by a 6-year-old girl (\$1,000,000), and the wrongful death of a 2-year-old girl (\$2,000,000) in a motor vehicle accident caused by a deputy sheriff. At trial, liability was admitted but damages were contested. The case was subsequently settled for \$1,071,875 due to limited insurance coverage

and multiple claimants. Reported in NC Lawyers Weekly on April 13, 2009 and on January 25, 2010 in the 2009 NC list of the 25 largest verdicts and settlements. Handled with William S. Mills and Jason A. Orndoff.

- December 4, 2008: \$1,100,000 settlement in a Wake County civil action for personal injuries suffered by a female motorist in a motor vehicle accident with a city recycling truck. Reported in NC Lawyers Weekly on December 22, 2008. Handled with William S. Mills
- September 19, 2008: Order issued in a Durham County criminal action granting a motion for appropriate relief on the grounds of ineffective assistance of counsel, newly discovered evidence, and failure to disclose exculpatory evidence. The charges were dismissed and the client was freed from prison nearly seven years after his convictions at the age of 15. Reported in The News & Observer on September 20, 2008.
- April 27, 2007: \$375,000 settlement in a Durham County civil action for personal injuries suffered by a female pedestrian in a motor vehicle accident caused by a city law enforcement officer. Reported in The Herald-Sun and The News & Observer on May 11, 2007. Handled with Robert B. Glenn, Jr., Stewart W. Fisher, and William S. Mills.
- February 20, 2004: \$240,995 verdict in an Orange County civil action for personal injuries and property damage suffered by a male bicyclist in a motor vehicle accident. Reported in NC Lawyers Weekly on February 20, 2004. Handled with Robert B. Glenn, Jr.
- October 1, 2003: \$600,000 confidential settlement in a Durham County civil action for personal injuries suffered by a female tenant as a result of inadequate security. Reported in NC Lawyers Weekly on November 17, 2003. Handled with Robert B. Glenn, Jr. and Stewart W. Fisher.
- April 15, 2003: \$800,000 confidential settlement in a Wake County civil action for the wrongful death of a 16-year old boy in a single-car accident caused by an impaired driver. Reported in NC Lawyers Weekly on November 3, 2003. Handled with William S. Mills and Matthew B. Murray.