

**Carlos E. Mahoney**  
**Curriculum Vitae**

- Contact Information:** Glenn, Mills, Fisher & Mahoney, P.A.  
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[cmahoney@gmfm-law.com](mailto:cmahoney@gmfm-law.com)  
[www.gmfm-law.com](http://www.gmfm-law.com)
- 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  
Indigent Defense Services, Eligible for appointment to non-capital criminal appeals, 2006-2013  
Trial Advocacy, National Institute for Trial Advocacy, Southeast Regional Session, Chapel Hill, NC, May 2002
- Professional Awards:** Attorney of the Month, Attorney at Law Magazine, NC Triangle Edition, Vol 5, No. 5, January 2018  
International Society of Barristers: Fellow, October 2017  
North Carolina Leaders in the Law - Honoree, 2016  
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, 2014-2018

North Carolina Super Lawyers - Rising Star, 2010-2013

Business North Carolina - Legal Elite (Litigation), 2015

Business North Carolina - Legal Elite (Young Guns), 2008

NCATL: Ebbie Award for Exceptional Service and Inspired Commitment, June 2006

**Leadership Positions:**

Board of Directors, Executive and Finance Committees, ACLU and ACLU Foundation, 2011-present

Board of Directors, Finance and Development Committees, ACLU of North Carolina and ACLU of NC Legal Foundation (former President, 2009-11), 2005 - present

President (2018), Executive Committee, Eastern NC Chapter of ABOTA, 2014 - present

Board of Directors, Center for Death Penalty Litigation, 2015 - present

President (2013-14), Board of Directors, Durham County Bar Association and 14th Judicial District Bar, 2012-2015, 2008-2009 Appellate Rules and Professionalism Committees, North Carolina Bar Association, 2008-2013

Vice-President of Legal Affairs (2012-13), Board of Governors, North Carolina Advocates for Justice, 2004-2013

Board of Directors, NC Prisoners Legal Services, 2008-2013

Board of Directors, Carolina Center for Civic Education, 2013-2015

**Publications:**

*North Carolina Prima Facie Tort Manual*, edited Chapters on Assault and Battery and False Imprisonment (6<sup>th</sup> Ed. 2014)

*North Carolina Personal Injury Lien Manual*, co-authored Chapter on Ethics of Liens and Disbursements with Michael A. Jordan, (3<sup>rd</sup> 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:**

*New Friendship Used Clothing Collection, LLC vs. Katz*, 2017 NCBC 71 (N.C. Super. Ct. Aug. 18, 2017)  
*Law Offices of Peter H. Priest, PLLC vs. Coch*, 244 N.C. App. 53, 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)  
*Fraleley 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 (4<sup>th</sup> 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.