

# **Lawyer Proposals**

# THE LAW FIRM OF RICHARD F. GREEN, PLLC

2998 Holden Beach Road, SW  
Holden Beach, North Carolina 28462

---

(910) 842.1857 (Telephone)

(910) 842-1859 (Facsimile)

---

**Richard F. Green**

**Katherine M. Madon**

November 11, 2020

Town Clerk Heather Finnell  
Mayor J. Alan Holden  
Mayor Pro Term Gerald Brown  
Commissioner Woody Tyner  
Commissioner Mike Sullivan  
Commissioner Brian Murdock  
Commissioner Pat Kwiatkowski

Ms. Finnell, Mayor Holden and Holden Beach Commissioners:

Please see the information below in response to the request for proposals for legal services to the town of Holden Beach. We appreciate your consideration and look forward to hearing from you.

1. Statement of Qualifications and resources of the firm/individual, including governmental experience to include description of areas of expertise or relevant experience that may benefit the Town:

The Law Office of Richard F. Green has been in existence and served the Brunswick County community, specifically Holden Beach, since 2004. The firm consists of two attorneys, Katherine M. Madon and Richard F. Green. Combined, they have over 47 years experience. We employ two paralegals and a receptionist that have over 43 years combined experience. Our primary practice is real estate transactional work, but we are a general practice firm with experience in civil litigation, special proceedings, criminal law and estates. The longstanding real estate practice ranges from basic buying and selling, to boundary disputes, condemnation, partition actions, foreclosures and more. We have appeared on behalf of our clients before the Town of Holden Beach and other municipalities. We also litigate cases in both the district and superior courts. Our general practice affords us the privilege to work closely with our various town officials, members of the Brunswick County Sherriff's Office, Register of Deeds, Department of Social Services, Brunswick County Commissioners, Brunswick County Board of Education, District Attorney's Office, District and Superior Court Judges and other Brunswick County officials in diverse capacities. Due to our small size we are a hands-on firm and are grateful for our ability to provide services to the citizens of Holden Beach and Brunswick County.

Mr. Green has previously served as the attorney for the Town of Holden Beach, and since 2011 has served as the attorney for the Brunswick County School Board. Mr. Green's comprehensive knowledge of governmental procedure and experience in a board setting is unmatched in Brunswick County. He is a former U.S. Department of Justice prosecutor, and he prosecuted criminal cases for the State of Maryland and the State of North Carolina.

Ms. Madon joined the firm in 2014 and assists with School Board matters while enjoying real estate and general practice. She also serves as counsel for the Brunswick County Treatment Courts. Prior to joining the firm she served as the Brunswick County Superior Court Coordinator where she worked closely with Judges throughout the State.

2. Statement of Interest in providing service to the Town:

Everyone in our office is a resident of Brunswick County, and Mr. Green has been a resident of Holden Beach since 1992. We take pride in the area in which we live and work and have a vital interest in insuring the smooth and orderly operation of Town matters. We have first hand knowledge of the challenges facing our community and know how essential it is to protect the legal interests of the Town of Holden Beach. We have represented a range of Holden Beach citizens throughout our practice from indigent criminal defendants to multi-state corporations.

3. Indication of ability to provide timely and efficient service to the Town, including a specification of how many hours per week could be devoted solely to Town business:

With two attorneys and a local office we can devote up to twenty (20) per hours week devoted solely to town business. Our office is open Monday through Friday and is fully staffed from 9:00AM-5:00PM. Other than court appearances and board of education meetings, both attorneys are present in the office and available. Our office is located five minutes from Town Hall.

4. Suggested contractual terms to include hourly rates:

We would seek billing of two hundred and fifty dollars (\$250.00) per hour to be invoiced on or about the first of each month.


Ms. Madon will be the primary contact and will attend the regular and special meetings. Mr. Green will attend any regular or special meeting when Ms. Madon is unavailable.

5. Other factors or information thought to be important to the Town in considering this proposal:

Our local presence along with our vast practice areas allows us to efficiently perform the diverse roles that are required of a town attorney.

Again, we thank you for considering this proposal.

Sincerely,



Richard F. Green



Katherine M. Madon

# Katherine M. Madon

---

The Law Office of Richard F. Green  
2998 Holden Beach Rd. SW  
Holden Beach NC 28462  
910.842.1857  
kmadon@atmc.net

---

## Practical Experience:

**Richard F. Green Attorney at Law PLLC.** Holden Beach, North Carolina (2014-Present)

*Associate Attorney*

Enjoys general practice ranging from real estate transactional work to criminal defense. Represents both plaintiffs and defendants regarding varied civil disputes. Serves as the defense attorney for the Brunswick County Treatment Courts.

**Brunswick County Superior Court.** Bolivia, North Carolina (2012-2014)

*Brunswick County Trial Court Coordinator*

Administered the mediation settlement conference program for all civil superior court matters. Assisted in the drafting and submittal of numerous federal grants. Scheduled all superior court matters including trial calendars, judge assignments, and grand jury presentations.

**Virginia Supreme Court.** Abington, Virginia (2011)

*Legal Clerk to The Honorable Elizabeth McClanahan*

Researched issues and prepared briefs for en banc and merit panel hearings centered upon all areas of the law ranging from criminal work to administrative law appeals.

## Education:

**Appalachian School of Law.** Grundy Virginia (2009-2012)

J.D. 2012

Natural Resource Law Journal 2010-2012, *Managing Editor 2011-2012*; Energy and Mineral Law Society 2009-2012, *President 2011-2012*; P.A.C.E. Moot Court Team 2010-2012; Research Assistant 2010-2012; Appellate Advocacy Teaching Assistant 2011-2012; Peer Tutor 2011-2012.

**University of Kentucky.** Lexington, Kentucky (2004-2008)

2009 Bachelor of Arts in Political Science and Communications

## Activities:

### **Professional Associations:**

North Carolina Bar Association; Brunswick County Bar Association; 13<sup>th</sup> Judicial Bar Association; Coastal Women Attorneys; Young Lawyers Association

### **Charitable Activities:**

North Carolina Lawyers for Literacy Campaign; Brunswick County Bar Association Scholarship Committee; North Carolina Pro-Bono Attorney;



G. Nicholas Herman	herman@broughlawfirm.com
Robert E. Hornik, Jr.	hornik@broughlawfirm.com
T.C. Morphis, Jr.	morphis@broughlawfirm.com
Albert M. Benshoff	benshoff@broughlawfirm.com
S. Ellis Hankins	hankins@broughlawfirm.com
Kevin R. Hornik	khornik@broughlawfirm.com
Brady N. Herman	bherman@broughlawfirm.com

November 11, 2020

**Via First Class Mail and Email to [heather@hbtownhall.com](mailto:heather@hbtownhall.com)**

Ms. Heather Finnell, Town Clerk  
Town of Holden Beach  
110 Rothschild Street  
Holden Beach, NC 28462

Re: Holden Beach Town Attorney Statement of Interest

Dear Ms. Finnell,

The Brough Law Firm, PLLC is pleased to submit this Statement of Interest to serve as the Holden Beach Town Attorneys. As you may recall we also submitted a State of Interest in 2019. We understand that the Board of Commissioners decided to terminate the current Town Attorney contract primarily due to the costs incurred for the attorney to commute from Wilmington to Holden Beach. Although we are located significantly farther away than Wilmington, we believe we can still provide cost effective legal services. We have provided legal services remotely to local governments for years, and during the COVID-19 pandemic we have become adept at using videoconferencing services such as Zoom.

Our fee proposal is straightforward. We charge an hourly rate for all work performed, except for attending Board of Commissioners meetings. Our hourly rate is \$185.00 per hour for Associates and \$200.00 per hour for Senior Attorneys. We would charge a flat fee of \$800.00 per meeting to attend regular Board of Commissioners meetings in person, which would include our travel time to and from meetings. Alternately, we could attend regular Commissioners meetings remotely using Zoom or a similar service for \$450.00 per meeting.

In addition to being cost effective, we bring a level of expertise that is difficult to match. Each attorney in our firm focuses on local government and land use law, and we serve as general counsel for twenty North Carolina municipalities, including Aberdeen, Cameron, Carrboro, Carthage, Creedmoor, Foxfire Village, Hamlet, Hillsborough, Hoffman, Mocksville, Oakboro, Pinebluff, Robbins, Roxboro, Sedalia, Stanfield, Stem, Summerfield, Vass, and Whispering Pines. We also serve as general counsel to the Rockingham County Schools.

We have extensive experience, individually and collectively, in all aspects of municipal law, including zoning and land use law, board governance, ordinance drafting, contracts, public

finance, employment law, and litigation in state and federal trial and appellate courts. The only local government matters we do not handle are specialized bond counsel work and real property transactions. We typically ask local real estate attorneys to conduct title searches and closings because they can do so on a more a cost-effective basis.

The firm also provides special litigation services for Cabarrus County, Currituck County, Robeson County, and Rockingham County, and also for the Town of Cary and the City of Concord. Members of our firm have argued numerous cases in the N.C. Court of Appeals and N.C. Supreme Court on behalf of local governments. In addition to litigation, we frequently assist numerous other cities and counties throughout the State in matters ranging from ordinance drafting to serving as outside counsel for board of adjustment cases.

Finally, we typically designate two attorneys to serve each municipality we represent. One of them acts as the primary counsel and principal contact, and the other serves as backup and as an additional point of contact. Additionally, all seven of our attorneys work together as a team to meet the needs of our clients. This arrangement ensures that each of our municipal clients has full access to our services not only during normal business hours but also during evenings and weekends. For Holden Beach, we are offering Mr. Brady Herman as primary counsel and Mr. Bob Hornik as additional counsel.

We recognize that the Board of Commissioners will likely consider other firms, and it is a fair to ask why the Town should select The Brough Law Firm over others? The short answer is our competitive rates, experience, our team approach. Since it was founded in 1988, our firm has focused almost exclusively on local government and land use law, and every attorney in our firm focuses on these practice areas, which means there will always be an attorney available to answer questions and to attend meetings. The Mayor, Board of Commissioners, and staff will have the opportunity to work with our attorneys who not only have broad and deep experience with local government law but who also understand the practical and political realities of governance. We value public service, and we believe our job is to help our municipal clients anticipate legal issues and to avoid or resolve them.

We have enclosed the following materials:

- References;
- A complete listing of all past and current public sector clients;
- Our Compensation for Services Schedule; and
- Our firm resume, which provides detailed information about each attorney in the firm.

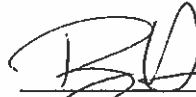
Per the Request for Proposals, our firm maintains malpractice insurance for every attorney in the firm. We will provide a copy of that policy upon request.

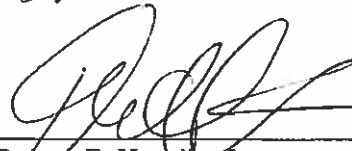
We would be pleased to attend a Board of Commissioners meeting to further discuss our firm's possible representation of the Town. Please let us know if additional information would be helpful.

Thank you for your consideration.

Sincerely,

THE BROUGH LAW FIRM, PLLC

  
\_\_\_\_\_  
Brady N. Herman

  
\_\_\_\_\_  
Robert E. Hornik, Jr.

T.C. Morphis, Jr. (BMT)  
T.C. Morphis, Jr., Managing Partner

BNH/REH:las  
Enclosures



## References

Please feel free to contact any of the municipalities we represent. Below are the names and contact information for some of the individuals most familiar with the work of Mr. Herman and Mr. Hornik:

### **Town of Vass**

Ms. Mabel Walden, Town Administrator

(910) 245-4676

vassnc@townofvass.com

\*Mr. Herman has worked extensively with the Town of Vass, including handling Board of Adjustment appeals for the Town.

### **Town of Hillsborough**

Eric Peterson, Town Manager

eric.peterson@hillsboroughnc.org

(919) 296-9421

\*Mr. Hornik has been the Hillsborough Town Attorney for nearly twenty years.

### **Town of Stem**

Hon. Casey Dover, Mayor

(919) 695-6833

casey.dover@stemnc.org

### **Town of Carrboro**

David Andrews, Town Manager

(919) 918-7309

dandrews@townofcarrboro.org

### **Town of Carrboro**

Hon. Lydia Lavelle, Mayor

(919) 918-7310

llavelle@townofcarrboro.org

## Client List

The following is a complete listing of public entities our firm has represented:

	Entity	Position Held	Years of Service
1	Town of Aberdeen, NC	Town Attorneys	Approx. 2000 – present
2	City of Asheboro, NC	Outside Litigation Counsel	Approx. 1991 – 1992
3	Town of Ayden, NC	Outside Litigation Counsel	Approx. 1999
4	Town of Bath, NC	Outside Litigation Counsel to the Board of Adjustment	Approx. 2009
5	Town of Boone, NC	Outside Litigation Counsel	Approx. 1991 - 1992
6	City of Burlington, NC	Outside Litigation Counsel	Approx. 1993 – 1994
7	Cabarrus County, NC	Outside Litigation Counsel	2011 – 2012
8	Town of Cameron, NC	Town Attorneys and Litigation Counsel	Approx. 1998 – present
9	Town of Canton, NC	Town Attorneys	2012 – 2014
10	Town of Cape Carteret, NC	Outside Litigation Counsel	Approx. 1999
11	Town of Carolina Beach	Outside Counsel regarding a personnel matter	2015
12	Town of Carrboro, NC	Town Attorneys	Approx. 1980 – present
13	Town of Carthage, NC	Town Attorneys	2014 – present
14	Town of Cary, NC	Outside Litigation Counsel	Approx. 2000 – present
15	Chatham County, NC	Outside Litigation Counsel	2000
16	Chatham County, NC Board of Adjustment	Board Attorney	2016 - present
17	City of Concord, NC	Outside Litigation Counsel and Counsel to the Board of Adjustment Mr. Benschhoff served as in house City Attorney	2004 – present 2003 to 2014
18	Currituck County, NC	Outside Litigation Counsel	Approx. 2012; 2014 – present
19	Town of Duck	Outside Counsel for a zoning matter	2015
20	Town of Elizabethton, NC	Outside Litigation Counsel	2004 – 2005
21	Foxfire Village, NC	Village Attorneys	2010 – present
22	Gaston County, NC	Outside Litigation Counsel	Approx. 1992 – 1993
23	Town of Green Level, NC	Town Attorneys	Approx. 2007 – 2010
24	City of Hamlet, NC	City Attorneys	2014 – present

25	Henderson County, NC	Outside Litigation Counsel	Approx. 1988 – 1989
26	City of Hickory, NC	Economic development issue; board training	2014; 2015
27	Town of Hillsborough, NC	Town Attorneys and Litigation Counsel	Approx. 1988 – present
28	Town of Hoffman, NC	Town Attorneys	2014 – present
29	Town of Holly Springs	Prepared development ordinance amendments	1995-1996
30	Town of Hope Mills, NC	Town Attorneys and Litigation Counsel	2012 – 2016
31	City of Jacksonville, NC	Outside Litigation Counsel	2015 – present
32	City of Kannapolis, NC	Outside Litigation Counsel	2014 – present
33	Town of Kill Devil Hills, NC	Outside Litigation Counsel	Approx. 1996 – 1997
34	Town of Landis, NC	Outside counsel for an annexation matter	Approx. 2005
35	Lumberton Visitors Bureau; Lumberton Airport Authority	Attorney	Approx. 1999-2003
36	City of Lumberton	City Attorney	1997 to 2003
37	Town of Maiden, NC	Outside Counsel for code rewrite	2009 – 2011
38	Village of Marvin, NC	Outside Litigation Counsel	2018 – present
39	Town of Mocksville	Town Attorney	2017 to present
40	Town of Nags Head, NC	Outside Litigation Counsel	Approx. 1997 – 1998
41	City of New Bern, NC	Outside Litigation Counsel	Approx. 2007 – 2008
42	Town of Oakboro, NC	Town Attorney	2015 – present
43	Town of Pinebluff, NC	Town Attorneys and Litigation Counsel	Approx. 2000 – present
44	Town of Princeville, NC	Town Attorneys	2018 – 2019
45	Robeson County, NC	Outside Litigation Counsel	2018 - present
46	Town of Robbins, NC	Town Attorneys	2014 – present
47	Rockingham County, NC	Outside Litigation Counsel	2013 – 2015
48	City of Roxboro, NC	City Attorneys and Litigation Counsel	Approx. 1998 – present
49	Town of Rutherfordton, NC	Outside Counsel for code rewrite and Outside Litigation Counsel	Approx. 1999; 2002
50	City of Sanford, NC	Attorney to the Board of Adjustment and Historic Properties Commission.	2015 – present
51	City of Salisbury, NC	Outside Litigation Counsel	2005 – 2007
52	Town of Sedalia, NC	Outside Counsel	2015 – present
53	City of Shelby, NC	Outside Litigation Counsel	Approx. 2001 – 2002
54	Siler City, NC	City Attorneys	Approx. 1996 – 2014

55	Town of Spring Lake, NC	Town Attorneys	2018-2020
56	Town of Stem, NC	Town Attorneys	2012 – present
57	Town of Tarboro, NC	Town Attorneys and Litigation Counsel	Approx. 1992 – 2013
58	Town of Taylortown, NC	Town Attorneys	Approx. 2000 – 2014
59	City of Trinity, NC	City Attorneys	2015 – 2017
60	City of Troy, NC	Outside Litigation Counsels	2014 – 2015
61	Town of Unionville, NC	Outside Litigation Counsel	2006 – 2009
62	Town of Vass, NC	Town Attorneys	2014 – present
63	Village of Whispering Pines	Village Attorneys and Litigation Counsel	Approx. 2002 – present
64	City of Wilmington, NC	Outside Litigation Counsel	1997; 2010
65	Warren County, NC	Outside Litigation Counsel	Approx. 1993 – 1994
66	Town of Waxhaw, NC	Outside Counsel for code rewrite	2015 - present
67	City of Wilson, NC	Outside Litigation Counsel	2011 – 2013
68	Town of Yadkinville, NC	Outside Counsel to the Board of Adjustment	2014 – 2015



## COMPENSATION FOR SERVICES

Statements for services rendered by The Brough Law Firm, PLLC will be prepared at the end of each calendar month for the work performed during the previous month. Your monthly statement will consist of two parts: an itemized breakdown of professional services and a list of expenses and costs advanced. The professional services portion of your statement will be based upon the following hourly rates for the attorneys and other staff who work on your case:

G. Nicholas Herman	\$200.00
Robert E. Hornik, Jr.	\$200.00
T.C. Morphis, Jr.	\$200.00
Albert M. Benshoff	\$200.00
S. Ellis Hankins	\$200.00
Kevin Hornik	\$185.00
Brady N. Herman	\$185.00
Legal Assistant	\$100.00

Your statement will indicate the services performed and the date, the attorney performing the services, the hourly rate, and the total. It will also include an itemized list of additional expenses and costs advanced. These include:

- Photocopy charges for non-routine copying done for the client outside the office.
- Private express mail carriers such as Federal Express.
- Mileage and travel expenses outside Brunswick, Cabarrus, Chatham, Durham, Granville, Moore, Orange, and Wake counties.
- Filing, service of process, and other fees associated with litigation.
- Fees for recording deeds and other instruments.

Statements will be mailed by the 10<sup>th</sup> of each month and are overdue if payment is not received by the end of that month. Interest at the rate of 1 ½% per month shall accumulate on balances not paid within thirty days after the date such balances become overdue. Any retainer received from you will be deposited in our trust account and used to pay your monthly statements. To the extent our statements exceed the retainer amount, payment will be expected as indicated above. If payment in full is not received by the 15<sup>th</sup> of the month following the month in which a statement is issued, no additional services will be performed in your behalf and thereafter services will be performed only if and to the extent that additional funds are deposited in our trust account to ensure payment of our statements as they become due.

Payments can be made by check, credit card, or "e-check." We will add a processing fee of 1.95% for Visa, Mastercard, and Discover payments and a processing fee of 2.95% for other cards, including American Express. E-check payments are limited to \$5,000 per payment.



CHAPEL HILL • CONCORD • RALEIGH

1526 E. Franklin Street  
Suite 200  
Chapel Hill, NC 27514  
CHAPEL HILL (919) 929-3905  
CONCORD (980) 622-6440 ·  
RALEIGH (919) 349-8988  
[broughlawfirm.com](http://broughlawfirm.com)

G. Nicholas (Nick) Herman  
[herman@broughlawfirm.com](mailto:herman@broughlawfirm.com)

Robert (Bob) E. Hornik, Jr.  
[hornik@broughlawfirm.com](mailto:hornik@broughlawfirm.com)

T.C. Morphis, Jr.  
[morphis@broughlawfirm.com](mailto:morphis@broughlawfirm.com)


Albert (Al) M. Benschoff  
[benschoff@broughlawfirm.com](mailto:benschoff@broughlawfirm.com)

S. Ellis Hankins  
[hankins@broughlawfirm.com](mailto:hankins@broughlawfirm.com)

Kevin R. Hornik  
[khornik@broughlawfirm.com](mailto:khornik@broughlawfirm.com)

Brady N. Herman  
[bherman@broughlawfirm.com](mailto:bherman@broughlawfirm.com)

Lori Stuart  
*Office Administrator*  
[office@broughlawfirm.com](mailto:office@broughlawfirm.com)



Michael B. Brough (now retired) founded the Brough Law Firm in 1988 in Chapel Hill, North Carolina. Today, the Principals of the firm are G. Nicholas (Nick) Herman, Robert E. (Bob) Hornik, Jr., and T.C. Morphis, Jr. The other attorneys in the firm are Albert M. Benshoff, S. Ellis Hankins, Kevin R. Hornik, and Brady N. Herman. With offices in Chapel Hill, Concord, and Raleigh, North Carolina, the firm has a statewide practice primarily devoted to land use, local government, and other public entity work.

The firm regularly assists developers in obtaining zoning and other land use entitlements, and we also represent individuals, citizen groups, businesses, and other corporations in a broad range of capacities relating to planning, zoning and land-use related matters. We regularly assist clients with rezonings, variances, special and conditional use permits, annexations, condemnations, vested rights, subdivision development, historic district designations, and regulations under the N.C. Coastal Area Management Act, as well as other State and federal land use and environmental laws.

The firm also has a robust local government and school board law practice. We serve as general counsel to twenty North Carolina municipalities, including Aberdeen, Cameron, Carrboro, Carthage, Creedmoor, Foxfire Village, Godwin, Hamlet, Hillsborough, Hoffman, Mocksville, Oakboro, Pinebluff, Robbins, Roxboro, Sedalia, Stanfield, Stem, Vass, and Whispering Pines. We represent the Rockingham County School System, and the firm also provides special litigation services for the Town of Cary, City of Concord, Currituck County, Rockingham County, Cabarrus County, Robeson County, and Brunswick County. We regularly assist numerous other cities and counties throughout the State in matters ranging from ordinance drafting to litigation, and we regularly handle matters as outside counsel that are considered too delicate for an in-house attorney to handle alone.

The members of the firm have extensive expertise in litigation and appellate matters, and they have argued over 135 cases in the North Carolina Supreme Court, North Carolina Court of Appeals, and the United States Court of Appeals for the Fourth Circuit. In addition, members of the firm have taught on the adjunct faculties at the University of North Carolina School of Law, North Carolina Central University School of Law, Duke University School of Law, Campbell University School of Law, North Carolina State University, Elon University, National Institute for Trial Advocacy, and at the School of Government in Chapel Hill. Collectively, the members of the firm have published 13 books and monographs, and over 100 articles (including Continuing Legal Education papers) on various areas of law in which the firm practices.



## G. NICHOLAS (NICK) HERMAN

Nick Herman received his Bachelor of Arts degree from the University of North Carolina at Chapel Hill as a Morehead-Cain Scholar and his law degree from Duke University School of Law. He has extensive litigation experience in state and federal court in a wide variety of areas of law, including municipal and county defense, zoning issues, constitutional law, civil rights, eminent domain, and employment law. He has also argued over 40 cases

in the North Carolina Supreme Court, North Carolina Court of Appeals, and the United States Court of Appeals for the Fourth Circuit.

Mr. Herman is also an Adjunct Professor at North Carolina Central University School of Law, Campbell Law School, and Elon University, and he has taught on the adjunct faculties at Duke Law School and UNC-CH Law School. He teaches courses in trial practice, the law of evidence, legal counseling and negotiating, arbitration, appellate advocacy, civil procedure, alternative dispute resolution, and pretrial litigation, among other courses. He has also taught on the faculty of the National Institute of Trial Advocacy in trial practice, negotiation and mediation, and deposition-taking skills. He is the author of six law books: *North Carolina Civil Trial Practice* (Juris Publishing, Inc. 2012); *Navigating the First Year of Law School* (Carolina Academic Press 2016); *Practical Evidence: The Law, Foundations, and Trial Techniques* (2d ed. West Group 1999); *Plea Bargaining* (4th ed. Juris Publishing Inc. 2017); *Legal Counseling, Negotiating & Mediating: A Practical Approach* (Carolina Academic Press 2009); and *A Practical Approach to Client Interviewing, Counseling, and Decision-Making: For Clinical Programs and Practical-skills Courses* (Carolina Academic Press 2009). He has also written over 60 articles on various subjects of law, litigation, and appeals.

Mr. Herman has been a lecturer at numerous Continuing Legal Education programs on topics such as land-use regulation powers, civil litigation and trial advocacy, eminent domain, the law of damages, witness preparation, disability law, and ethical considerations in civil litigation and appellate practice. He now serves as general counsel to the Town of Carrboro, the City of Roxboro, and the Rockingham County School System. He has served as special litigation counsel for Cabarrus County, Rockingham County, Brunswick County, Chatham County, Currituck County, Robeson County, the City of Concord, the City of Wilmington, the Town of Unionville, and the Town of Garner. His practice is otherwise primarily devoted to general representation and complex litigation and appeals involving areas such as county and municipal law, zoning issues, land use regulation, condemnation cases, nuisance abatement, constitutional law, employment law, disability law, and business litigation.



## ROBERT E. (BOB) HORNIK, JR.

Bob Hornik received his Bachelor of Arts degree, with honors, in Political Science from LeMoyne College in Syracuse, New York, and his law degree from The Washington & Lee University School of Law in Lexington, Virginia. Before becoming a principal in the Brough Law Firm, he engaged in the private practice of law in Syracuse, New York, representing local governments and real estate developers.



Mr. Hornik's practice emphasizes municipal law, zoning and land use law, litigation, and ordinance drafting. He serves as general counsel to the Towns of Hillsborough, Hoffman, Pinebluff, Stem, and Summerfield. In addition, Mr. Hornik supports others in the firm in their capacities as counsel for the Firm's other municipal clients. He has represented and advised municipalities in New York and North Carolina on issues including local finance, employment, annexation, zoning, planning and environmental law, and private developers in administrative and judicial proceedings at the State and Federal levels.

Mr. Hornik has extensive litigation experience in municipal, land use, and annexation matters in trial and appellate courts, including the North Carolina Supreme Court and the United States Supreme Court. He has also counseled clients in various commercial real estate transactions, including site acquisition, leasing and financing of multimillion-dollar commercial, retail and office ventures, and large scale residential subdivisions. Mr. Hornik's practice has included representation of several regional and national wireless telecommunication providers in the site acquisition and permitting processes for wireless telecommunications facilities, including State and Federal court actions brought under the Telecommunications Act.

Mr. Hornik is admitted to practice not only in North Carolina and New York, but also in the federal courts in the Northern and Western Districts of New York; in the Eastern, Middle and Western Districts of North Carolina; in the United States Court of Appeals for the Fourth Circuit; and in the United States Supreme Court. He is a member of the North Carolina, New York, and American Bar Associations. Mr. Hornik is active in the North Carolina Bar Association's Zoning, Planning, and Land Use Section, having served as a member of the Section's first Section Council. He served two terms as Chairman of the Section's Continuing Legal Education Committee, and he has presented continuing legal education programs for municipal attorneys and newly admitted attorneys on numerous occasions.



## T.C. MORPHIS, JR.

T.C. Morphis grew up in Hickory, North Carolina. He received a Bachelor of Arts in Philosophy and History from UNC-Chapel Hill and his Law Degree and a Master's Degree in City and Regional Planning from UNC-Chapel Hill.

Mr. Morphis' primary practice areas include municipal, zoning, land use, employment, code enforcement, environmental, and coastal area management law. He provides general legal counsel for the

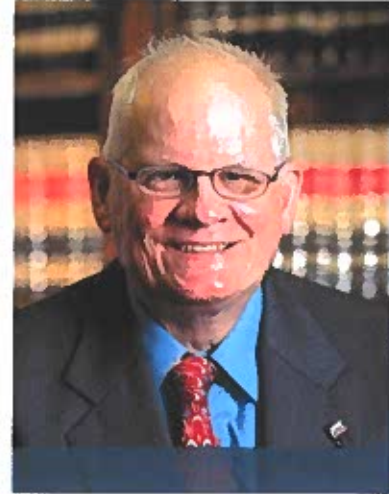
Cities of Creedmoor and Hamlet; the Towns of Aberdeen, Cameron, Carthage, Pinebluff, Robbins and Vass; and the Village of Whispering Pines. He also serves as outside counsel to the Concord and Chatham County Boards of Adjustment, and regularly represents citizen groups and other private clients in land-use litigation throughout North Carolina. Mr. Morphis has experience at all stages of litigation, from quasi-judicial hearings before local boards to trial court work and appellate advocacy before the North Carolina Court of Appeals and North Carolina Supreme Court. Mr. Morphis also regularly advises local government clients on code enforcement and board governance issues.

Early in his career, Mr. Morphis served as a clerk with the Charlotte City Attorney's Office and as an extern for the Honorable Judge Linda McGee of the North Carolina Court of Appeals. Mr. Morphis' Masters-Degree Project compared land trusts and resource conservation efforts in North Carolina with forest conservation in India, and he was a recipient of a U.S. Department of Education Foreign Language Area Studies scholarship for the study of Hindi and Urdu. Mr. Morphis also received, at UNC-CH Law School, the Gressman-Pollitt Award for Oral Advocacy, the Best Overall award in the UNC Environmental Negotiation Competition, and recognition as a finalist in the Merhige National Environmental Negotiation Competition.

Mr. Morphis is admitted to practice in the State courts in North Carolina and in the United States District Court, Middle District of North Carolina. He is a member of the North Carolina Bar Association, and he has previously served as the Chair of the North Carolina Bar Association's Zoning, Planning and Land Use Section Council and as the Co-Editor of the North Carolina Bar Association's *Land Use Law Quarterly*. He also previously served on the Triangle Land Conservancy's Land Protection Committee and as the Chairman of the Advisory Committee to the City of Durham's Community and Family Life Center at Lyon Park.

## ALBERT M. BENSHOFF

Al Benshoff graduated from the University of Michigan with a Bachelor of Science in Natural Resources. He briefly worked as a contractor for the U.S. Department of the Interior, Bureau of Outdoor Recreation (now the National Park Service) before working in environmental compliance for National Steel Corp. He later received a Master's Degree in Regional Planning from the University of Michigan.

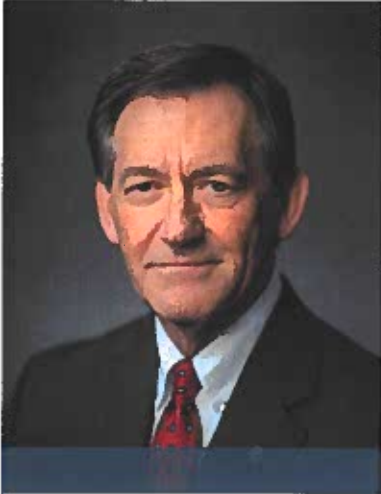


For many years, he worked as a planner, first for the Beaufort County, S.C. Planning Commission, and then for the City of Cary, N.C. where he oversaw the adoption of the first Unified Development Ordinance, the construction of the first five miles of greenway, and several comprehensive plans. While working in Cary, he attended the evening law program at N.C. Central University School of Law, in Durham, NC.

After receiving his law degree, Mr. Benshoff became the City Attorney for Lumberton, N.C. and then served as the City Attorney for Concord, N.C. Some of his accomplishments in Concord include litigating a major zoning challenge to the new Cabarrus County jail, re-writing the Concord Development Ordinance, obtaining and defending Inter-Basin Transfer Permits from the Yadkin and Catawba Rivers to Concord and Kannapolis, assisting with the redevelopment of "Brownfield" sites, and organizing community development and the construction of the joint Albemarle-Concord- Kannapolis water pipeline.

Mr. Benshoff provides general legal counsel to the Towns of Mocksville, Oakboro, Sedalia, and Stanfield. He has worked with other local government clients, including the Towns of Aberdeen, Carthage, Carrboro, Creedmoor, Selma, Holly Springs, Pinebluff, Robbins, the Lumberton Convention and Visitors Bureau, the Cities of Kannapolis and Roxboro, and the Village of Pinehurst. He practices in the areas of real estate development, code enforcement, contracts, economic development, annexation, land use and zoning, eminent domain, housing authorities, personnel, and community development, including U.S. Housing and Urban Development programs.

Mr. Benshoff is licensed in the North Carolina state courts and U.S. District Courts of the Eastern, Middle and Western Districts of North Carolina, as well as the U.S. Fourth Circuit Court of Appeals. He is an active member of the North Carolina Bar Association, where he has served on the Section Councils of both the Government & Public Sector Section and the Zoning, Planning and Land Use Law Section. Mr. Benshoff recently received the Grainger Barrett Award for Excellence from the Government & Public Sector Section. Also, from 2017 to 2019 Mr. Benshoff served on the Board of Directors of the NC Association of Municipal Attorneys. In the community, he serves as the President of the Board of Directors of two non-profit corporations providing housing to low income seniors in Cabarrus County, the Methodist Episcopal Senior Housing, Inc. and Housing Episcopal Methodist Presbyterian, Inc.



## S. ELLIS HANKINS

Ellis Hankins earned his Bachelor of Arts, Master of Regional Planning, and Law degrees from UNC-Chapel Hill. As an attorney with the firm based in Raleigh, his practice focuses primarily on local government representation and appellate advocacy.

Mr. Hankins provides general legal counsel to the Town of Godwin and the Rockingham County School System. He also teaches as a visiting professor in graduate public policy and management programs at UNC-Chapel Hill, NC State, and Duke University, in the areas of state and local government, tax policy and public finance, public law and ethics, and intergovernmental relations. He also has assisted cities, counties, public risk pools, state municipal leagues, and county associations with executive searches and other management needs, as a member of a nationwide public sector consulting firm.

Mr. Hankins served as Executive Director of the North Carolina League of Municipalities, the statewide municipal association, and previously as the League's General Counsel and chief state legislative lobbyist. He has represented municipalities and other public and private sector entities and associations in state and federal trial and appellate courts and before congressional committees, as a member of the League staff and in private law practice. He is licensed to practice law in North Carolina and is admitted to practice before the US District Court for the Eastern District of North Carolina and the US Court of Appeals for the Fourth Circuit.

He is a former member of the National League of Cities Board of Directors; the NLC Mutual Insurance Company Board of Directors and Executive Committee (reinsurance company); the NCLM Risk Management Services Board of Trustees; the UNC School of Government Foundation Board of Directors; and the Wake County Parks and Recreation Commission. He assisted with the transition of North Carolina Governor-Elect Roy Cooper, leading the assessment team that evaluated the Governor's Office, Department of Administration and Office of State Human Resources.

Mr. Hankins is a lifetime honorary member of the NC Municipal Attorneys Association, the NC City-County Management Association, and the NC League of Municipalities, and he received the Grainger Barrett Award for Excellence from the NC Bar Association Government and Public Sector Section. He is a member of the Order of the Long Leaf Pine, bestowed by Governor Pat McCrory for exemplary service to the State of North Carolina.

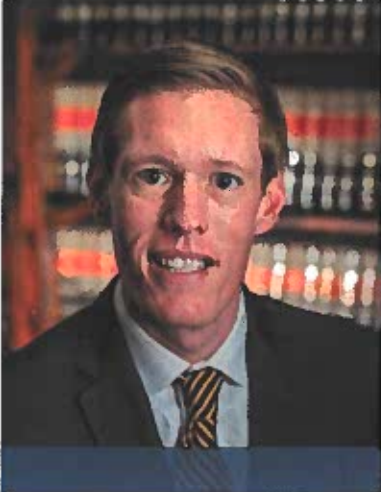
## KEVIN R. HORNIK

Kevin Hornik received his Bachelor of Arts degree, with honors, in History from Queens University of Charlotte in Charlotte, North Carolina in 2013. He received his law degree in 2016, and was admitted to practice in all courts of this State in 2017.

While in law school, Mr. Hornik worked as a legal writing consultant and instructor, assisting and advising students on their legal writing assignments. He also worked as an intern at the school's Community and Economic Development Clinic, providing pro bono legal services to non-profit and community and economic development organizations in the Charlotte area and in the surrounding communities. He also was a member of the World Affairs Council of Charlotte, participating in and attending a lecture series in the greater Charlotte area through both the law school and The Magellan Society.

Mr. Hornik currently serves as the Creedmoor Assistant City Attorney and the Assistant Town Attorney for Hillsborough, Pinebluff, and Summerfield, and he also regularly provides outside counsel to the Town of Cary Board of Adjustment and the City of Sanford Board of Adjustment and Historic Preservation Commission. His experience includes local government and municipal land use matters, as well as non-profit and community economic development work. Mr. Hornik practices with the firm by counseling the firm's numerous local government clients in land-use, regulatory, and employment matters, including all operational and transactional aspects of those local governments. In addition, he provides integral legal research, and litigation representation and support for cases litigated by the firm on behalf of local governments. This includes counsel and representation in administrative matters, quasi-judicial proceedings, trial proceedings, and appellate cases brought on behalf of the local governments represented by the firm in the NC Court of Appeals, NC Supreme Court, the federal district courts of North Carolina, and the US Court of Appeals for the Fourth Circuit.





## BRADY N. HERMAN

Brady Herman received his B.A. degree from Elon University and his J.D. degree from Campbell University School of Law. While in law school, he concentrated his studies in litigation. He was also a named contributor to *Navigating the First Year of Law School*, a nationally-distributed book published by Carolina Academic Press.

His practice is devoted to assisting private clients obtain zoning and land use entitlements and advising local government clients in a wide range of areas, zoning and planning matters, code-enforcement, quasi-judicial functions, ordinance drafting and interpretation, police and fire functions, storm water and other public-utility matters, employment matters, and contract and other transactional matters for local governments. Mr. Herman also provides legal research and litigation representation and support for cases litigated by the firm. This includes counsel and representation in negotiation and mediation, administrative matters, quasi-judicial proceedings, trial proceedings, and appellate cases brought on behalf of the local governments represented by the firm in the North Carolina and federal courts.

Brady is a contributing author to the regular updates for *North Carolina Civil Trial Practice—With Application of the N.C. Rules of Evidence*—which is North Carolina’s leading trial-practice treatise published by Juris Publishing Company. He is admitted to practice in all North Carolina courts.

## APPELLATE CASES BY FIRM MEMBERS

*Adoption of P.E.P.*, 100 N.C. App. 191, 395 S.E.2d 133 (1990), rev'd, 329 N.C. 692, 407 S.E.2d 505 (1991)

*Albright v. Nash County*, 222 N.C. App. 634, 731 S.E.2d 276 (2012) (unpublished)

*Allen v. City of Burlington Bd. of Adjustment*, 100 N.C. App. 615, 397 S.E.2d 657 (1990)

*Amward Homes v. Town of Cary*, 365 N.C. 305, 716 S.E.2d (2011)

*Angell v. City of Sanford*, 106 N.C. App. 90, 415 S.E.2d 589 (1992)

*Anthony v. City of Shelby*, 152 N.C. App. 144, 567 S.E. 2d 222 (2002)

*Ashby v. Town of Cary*, 161 N.C. App. 499, 588 S.E.2d 572 (2003)

*Ashley v. The City of Lexington*, 209 N.C. App. 1, 704 S.E.2d 529 (2011)

*Barnett v. Karpinos*, 119 N.C. App. 719, 460 S.E.2d 208 (1995)

*Batch v. Town of Chapel Hill*, 92 N.C. App. 601 (1989), 376 S.E.2d 22, rev'd, 326 N.C. 1, 387 S.E. 2d 655 (1990)

*Bradley Co. v. Town of Chapel Hill*, 112 N.C. App. 135, 435 S.E.2d 375 (1993)

*Capricorn Equity Corp. v. Town of Chapel Hill Bd. of Adjustment*, 106 N.C. App. 134, 415 S.E.2d 752 (1992), rev'd, 334 N.C. 132, 431 S.E.2d 183 (1993)

*Casella v. Alden*, 200 N.C. App. 24, 682 S.E.2d 455 (2009)

*Caswell County v. Town of Yanceyville*, 170 N.C. App. 124, 611 S.E.2d 451 (2005)

*Chapel Hill Title v. Chapel Hill*, 362 N.C. 649, 669 S.E.2d 286 (2008)

*Chapel Hill Title & Abstract v. Chapel Hill*, 178 N.C. App. 561, 631 S.E.2d 893 (2006)

*City of Concord v. Duke Power*, 346 N.C. 211, 485 S.E.2d 278 (1997)

*City of Lumberton v. U.S. Cold Storage, Inc.*, 178 N.C. App. 305, 631 S.E.2d 165 (2006)

*City of Hillsboro v. Hughes*, 140 N.C. App 714, 538 S.E.2d 586, rev. denied, 353 N.C. 370, 547 S.E.2d 4 (2000)

*Clement v. Cumberland Cty.*, 836 S.E.2d 789 (N.C. Ct. App. 2020) (unpublished).

*County of Durham v. Roberts*, 145 N.C. App. 665, 551 S.E.2d 494 (2001)

*Clark v. Red Bird Cab Co.*, 114 N.C. App. 400, 442 S.E.2d 75 (1994)

*Coleman v. Town of Hillsborough*, 173 N.C. App. 560, 619 S.E.2d 555 (2005)

*Coucoulas/Knight Prop. v. Town of Hillsborough*, 364 N.C. 127, 691 S.E.2d 411 (2010)

*Craig v. County of Chatham*, 356 N.C. 40, 565 S.E.2d 173 (2000)

*Danaher v. Joffe*, 184 N.C. App. 642, 646 S.E.2d 783 (2007)

*Davis v. Taylor*, 81 N.C. App. 42, 344 S.E.2d 19 (1986)

*Dempsey v. Silver Creek*, 185 N.C. App. 158, 647 S.E.2d 689 (2007)

*Dixon v. Taylor*, 169 N.C. App. 455, 612 S.E.2d 448 (2005) (unpublished)

*Duggins v. Town of Walnut Cove*, 63 N.C. App. 684, 306 S.E.2d 186 (1983)

*Edmonson v. The City of Rocky Mount*, 213 N.C. App. 422, 714 S.E.2d 275 (N.C. App. 2011)

*Environmental Management Commission, In the Matter of*, 53 N.C. App. 135, 280 S.E.2d 520 (1981)

*Evergreen Constr. Co. v. Kinston*, 194 N.C. App. 371, 671 S.E.2d 596 (2008)

*Fairway Outdoor Advertising, Inc. v. City of Salisbury, N.C.*, 124 N.C. App. 666, 478 S.E.2d 674 (1996)

*Fairway Outdoor Advertising, LLC v. Town of Cary*, 225 N.C. App. 676, 739 S.E.2d 579 (2013)

*Fehrenbacher v. City of Durham*, 239 N.C. App. 141, 768 S.E.2d 186 (2015)

*Fischell v. Rosenberg*, 90 N.C. App. 254, 368 S.E.2d 11 (1988)

*Flowerree v. City of Concord*, 93 N.C. App. 483, 378 S.E.2d 188 (1989)

*Fowler v. Valencourt*, 108 N.C. App. 106, 423 S.E.2d 785 (1992), rev'd in part, 334 N.C. 345, 435 S.E.2d 530 (1993)

*Gates Four Homeowners v. City of Fayetteville*, 170 N.C. App. 688, 613 S.E.2d 55 (2005)

*Good Neighbors of Oregon Hill Protecting Property Rights v. County of Rockingham*, 242 N.C. App. 280, 121, 774 S.E.2d 902 (2015)

*Griffin v. Town of Unionville*, 338 Fed. Appx. 320 (4th Cir. 2009)

*Habitat for Humanity v. Brd. of Commrs*, 187 N.C. App. 764, 653 S.E.2d 886 (2007)

*Hayes v. Fowler*, 123 N.C. App. 400, 473 S.E.2d 442 (1996)

*Hemphill-Nolan v. Town of Weddington*, 153 N.C. App. 144, 568 S.E.2d 887 (2002)

*Hirschman v. Chatham County*, 792 S.E.2d 211 (N.C. App. 2016)

*City of Hillsborough v. Hughes*, 140 N.C. App. 714, 538 S.E.2d 586, rev. denied, 353 N.C. 370, 547 S.E.2d 4 (2000)

*Karp v. University of North Carolina*, 78 N.C. App. 214, 336 S.E.2d 640 (1985); 88 N.C. App. 282, 362 S.E.2d 825 (1987)

*Kegley v. City of Fayetteville*, 170 N.C. App. 656, 613 S.E.2d 696 (2005)

*Keith v. Town of Knightdale*, 139 F.3d 890 (4th Cir. 1998)

*Kentallen, Inc. V. Town of Hillsborough*, 110 N.C. App. 767, 431 S.E.2d 231 (1993)

*Kirkpatrick v. Town of Aberdeen*, 171 N.C. App. 365, 615 S.E.2d 435 (2005)

*Kirkpatrick v. Town of Nags Head*, 213 N.C. App. 132, 713 S.E.2d 151 (2011)

*Krauss v. Wayne County Dept. of Social Services*, 345 N.C. 642, 483 S.E.2d 709 (1997)

*Lanvale Properties v. County of Cabarrus*, 366 N.C. 142, 731 S.E.2d 800 (2012)

*Law Building of Asheboro, Inc. v. City of Asheboro, Inc.*, 108 N.C. App. 182, 423 S.E.2d 93 (1992)

*Leete v. County of Warren*, 114 N.C. App. 755, 443 S.E.2d 98 (1994), rev'd, 341 NC 116, 462 S.E.2d 476 (1995)



*Letendre v. Currituck County*, 2018 WL 4440587 (N.C. App. Sept. 18, 2018)  
*Lloyd v. Chapel Hill*, 127 N.C. App. 347, 489 S.E.2d 898 (1997)  
*Lumberton v. U.S. Cold Storage*, 178 N.C. App. 305, 631 S.E.2d 165 (2006)  
*Maffei v. Alert Cable TV of North Carolina, Inc.*, 75 N.C. App. 473, 331 S.E.2d 188 (1985),  
rev'd, 316 N.C. 615, 342 S.E.2d 867 (1986)  
*Magnolia MFG of N.C. v. Erie Ins. Exch.*, 361 N.C. 213, 639 S.E.2d 443 (2007)  
*Mallas v. United States*, 993 F.2d 1111 (4th Cir. 1993)  
*March v. Town of Kill Devil Hills*, 125 N.C. App. 151, 479 S.E.2d 252 (1997)  
*McDonald v. City of Concord*, 188 N.C. App. 278, 655 S.E.2d 455 (2008)  
*McDowell v. Randolph County*, 205 N.C. App. 468, 698 S.E.2d 202 (2010)  
*McDowell v. Randolph County*, 186 N.C. 17, 649 S.E.2d 920 (2008)  
*McCrann v. Village of Pinehurst*, 216 N.C. App. 291, 716 S.E.2d 667 (2011)  
*Messer v. Town of Chapel Hill*, 59 N.C. App. 57, 479 S.E.2d 221 (1997)  
*Moody v. Town of Carrboro*, 301 N.C. 318, 271 S.E.2d 265 (1980)  
*Morgan v. Nash County*, 224 N.C. App. 60, 735 S.E.2d 615 (2012)  
*Murdock v. Chatham Cty.*, 198 N.C. App. 309, 679 S.E.2d 850 (2009)  
*Musi v. The Town of Shallotte*, 200 N.C. App. 379, 684 S.E.2d 892 (2009)  
*Myers v. Town of Plymouth*, 352 N.C. 670, 535 S.E.2d 355 (1999) Nello  
*L. Teer Co. v. Orange County*, 810 F. Supp. 679 (4th Cir. 1993) Nolan v.  
*Village of Marvin*, 360 N.C. 256, 624 S.E.2d 305 (2006)  
*Nolan v. Town of Weddington*, 182 N.C. App. 486, 642 S.E.2d 261 (2007)  
*Nolan v. Town of Weddington*, 157 N.C. App. 364, 578 S.E.2d 710 (2003)  
*Norris, et.al. v. Wilmington*, 110 F.3d 60 (4th Cir. 1997)  
*Northeast Concerned Citizens v. Hickory*, 143 N.C. App. 272, 545 S.E.2d 768 (2001)  
*Northwest Prop. Grp. v. Town of Carrboro*, 201 N.C. App. 449, 687 S.E.2d 1 (2009)  
*Northwood Homeowners Ass'n, Inc. v. Town of Chapel Hill*, 112 N.C. App. 630, 436 S.E.2d  
282 (1993)  
*Northwestern Financial Group, Inc. v. County of Gaston*, 110 N.C. App. 531, 430 S.E.2d  
689 (1993)  
*Orange Cty. v. Dubeau*, 175 N.C. App. 592, 624 S.E.2d 433 (2006)  
*Orange County v. Town of Hillsborough*, 219 N.C. App. 127, 724 S.E.2d 560 (2012)  
*Orange Water and Sewer Authority v. Town of Carrboro*, 58 N.C. App. 676, 294 S.E.2d 757  
(1982)  
*Oxford House, Inc. v. City of Wilmington, North Carolina*, No. 7:07-CV-61-F (E.D. N.C. 2010)

*Parish v. Town of Hillsborough*, 502 S.E.2d 637, 130 N.C. App. 195, rev'd, 350 N.C. 231, 513 S.E.2d 547 (1999)

*Parkwood Ass'n, Inc. v. City of Durham*, 124 N.C. App. 603, 478 S.E.2d 204 (1996)

*Patmore v. Town of Chapel Hill, North Carolina*, 233 N.C. App. 133, 757 S.E.2d 302 (April 1, 2014)

*PBK Holdings, LLC v. County of Rockingham*, 233 N.C. App. 353, 756 S.E.2d 821 (2014)

*Phelps v. Duke Power Co.*, 76 N.C. App. 222, 332 S.E.2d 715 (1985), appeal after remand, 86 N.C. App. 455, 358 S.E.2d 89 (1987), rev'd and remanded, 324 N.C. 72, 376 S.E.2d 238 (1989)

*Piland v. Hertford County Bd. of Com'rs*, 141 N.C. App. 293, 539 S.E.2d 669 (2000)

*Pinewild Project P'ship v. Village of Pinehurst*, 198 N.C. App. 347, 679 S.E.2d 424 (2009)

*Quality Built Advantage, Inc. v. Pam Graham*, COA18-1230 (August 6, 2019) (unpublished opinion)

*Rakestraw v. Town of Knightdale*, 188 N.C. App. 129, 652 S.E.2d 825 (2008)

*River Birch Associates v. City of Raleigh*, 326 N.C. 100, 388 S.E.2d 538 (1990)

*Roberts v. Schweiker*, 667 F.2d 1143 (4th Cir. 1981)

*Robinette v. Barriger*, 116 N.C. App. 197, 447 S.E.2d 498 (1994)

*Russell v. Guilford County*, 100 N.C. App. 541, 397 S.E.2d 335 (1990)

*Sandhills Association of Realtors, Inc. v. Village of Pinehurst*, No. 1:98-CV-00303 (M.D.N.C. 1999)

*Schaefer v. Town of Hillsborough*, 213 N.C. App. 212, 712 S.E.2d 727 (2011)

*Sidden v. Mailman*, 150 N.C. App. 373, 563 S.E.2d 55 (2002)

*Smith v. Forsyth Cty. Bd. of Adjust.*, 186 N.C. App. 651, 652 S.E.2d 355 (2007)

*Snow v. County of Dare*, 177 N.C. App. 564, 629 S.E.2d 620 (2006)

*Sofran Corp. v. City of Greensboro*, 327 N.C. 125, 393 S.E.2d 767 (1990)

*State v. Turner*, 98 N.C. App. 442, 391 S.E.2d 524 (1990)

*State ex rel. Pollino v. Shkut*, 843 S.E.2d 716 (2020).

*Stealth Properties v. Pinebluff Bd. of Adjustment*, 183 N.C. App. 461, 645 S.E.2d 144 (2007)

*Summey Outdoor Advertising, Inc. v. County of Henderson*, 96 N.C. App. 533, 386 S.E.2d 439 (1989)

*Swan Beach Corolla, LLC v. County of Currituck*, 805 S.E.2d 743 (N.C. App. 2017)

*Templeton Properties, L.P. v. Town of Boone*, 219 N.C. App. 266, 724 S.E.2d 604, (2012)

*Templeton Properties, L.P. v. Town of Boone*, 368 N.C. 82, 772 S.E.2d 239 (2015)

*Terrell v. Chatham Cty*, 177 N.C. App. 567, 629 S.E.2d 620 (2006)

*Thrush v. Jones*, 227 N.C. App. 228, 741 S.E.2d 927 (2013) (unpublished)

*Tonter Investments, Inc. v. Pasquotank County*, 199 N.C. App. 579, 681 S.E.2d 536 (2009)

*Town of Ayden v. Town of Winterville*, 143 N.C. App. 136, 544 S.E.2d 821 (2001)

*Town of Cameron v. Woodell*, 150 N.C. App. 174, 563 S.E.2d 198 (2002)  
*Town of Carrboro v. Slack*, 820 S.E.2d 527 (N.C. App. 2018)  
*Town of Hillsborough v. Crabtree*, 143 N.C. App. 707, 547 S.E.2d 139 (2001)  
*Town of Pinebluff v. Marts*, 195 N.C. App. 659, 673 S.E.2d 740 (2009)  
*United States v. Baker*, 985 F.2d 1248 (4th Cir. 1993)  
*United States v. Blackwell*, 946 F. 2d 1049 (4th Cir. 1991)  
*United States v. Blackwell*, 900 F.2d 742 (4th Cir. 1990)  
*United States v. Clarke*, 7 F.3d 227 (4th Cir. 1993)  
*United States v. Town of Garner*, 720 F. Supp.2d 721 (E.D.N.C. 2010)  
*United States v. Giunta*, 925 F.2d 758 (4th Cir. 1991)  
*United States v. Gomez*, 838 F.2d 468 (4th Cir. 1987)  
*United States v. Hargas*, 908 F.2d 968 (4th Cir. 1990)  
*United States v. \$10,694.00 U.S. Currency*, 828 F.2d 233 (4th Cir. 1987)  
*University of North Carolina, In the Matter of Appeal*, 300 N.C. 563, 268 S.E.2d 472 (1980)  
*U.S. Cold Storage, Inc. v. City of Lumberton*, 156 N.C. App. 327, 576 S.E.2d 415 (2003)  
*U.S. Cold Storage, Inc. v. City of Lumberton*, 170 N.C. App. 411, 612 S.E.2d 415 (2005)  
*Varner v. Bryan v. County of Henderson*, 113 N.C. App. 697, 440 S.E.2d 295 (1994)  
*Village Creek Property Owners Association v. Town of Edenton*, 135 N.C. App. 482, 520 S.E.2d 793 (1999)  
*Wake County Hospital System, Inc. v. National Casualty Co.*, 804 F. Supp. 768 (E.D.N.C.), aff'd, 996 F.2d 1213 (4th Cir. 1993)  
*Wallace v. Town of Chapel Hill*, 93 N.C. App. 422, 378 S.E.2d 225 (1989)  
*Wally v. The City of Kannapolis*, 365 N.C. 449, 722 S.E.2d 481 (2012)  
*Wally v. The City of Kannapolis*, COA13-1425, 768 S.E.2d 200 (2014) (unpublished opinion), pet. for disc. rev. denied, 776 S.E.2d 193 (2015)  
*Walton North Carolina, LLC v. City of Concord*, 809 S.E.2d 164 (N.C. App. 2017)  
*Watauga County Bd. of Educ. v. Town of Boone*, 106 N.C. App. 270, 416 S.E.2d 411 (1992)  
*Weeks v. Town of Nags Head*, 177 N.C. App. 464, 628 S.E.2d 867 (2006)  
*Wenco Management Co. v. Town of Carrboro*, 53 N.C. App. 480, 281 S.E.2d 74 (1981)  
*WFGCC v. Town of Wake Forest*, 212 N.C. App. 632, 711 S.E.2d 816 (2011)  
*White Oak Properties, Inc. v. Town of Carrboro*, 71 N.C. App. 360, 322 S.E.2d 400 (1984), rev'd, 313 N.C. 306, 327 S.E.2d 882 (1985), on remand, 74 N.C. App. 605, 328 S.E.2d 907 (1985)  
*Wiles v. Concord Zoning Bd. of Adjust.*, 195 N.C. App. 598, 673 S.E.2d 799 (2009)  
*Winding Ridge Homeowners Association v. Joffe*, 362 N.C. 225, 657 S.E.2d 356 (2008)

## PUBLICATIONS BY FIRM MEMBERS

### Books & Monographs

- *Navigating The First Year of Law School* (Carolina Academic Press 2016).
- *North Carolina Civil Trial Practice* (Juris Publishing, Inc 2012-present)
- *Legal Counseling, Negotiating & Mediating: A Practical Approach* (Carolina Academic Press 2009)
- *The Nonconforming Use in North Carolina Zoning Law: Text and Model Ordinance* (Institute of Government 1976)
- *North Carolina Volunteer Fire Department Journal* (1995 to present)
- *The Order Of The Golden Fleece At Chapel Hill, 1904-2004: America's First Honor Society For University Leaders* (The University of North Carolina at Chapel Hill Library 2005).
- *Plea Bargaining* (4th ed. Juris Publishing, Inc. 2017)
- *A Practical Approach to Client Interviewing, Counseling, and Decision-Making: For Clinical Programs and Practical-skills Courses* (Carolina Academic Press 2009)
- *Practical Evidence: The Law, Foundations, and Trial Techniques* (2d ed. West Group 1999).
- *Preparing Ordinances Regulating Mobile Homes and Mobile Home Parks in North Carolina: A Guidebook* (Institute of Government 1976)
- *Selected Major Issues in North Carolina Zoning and Land Use Law* (1986)
- *A Unified Development Ordinance* (American Planning Association 1985)
- *The Zoning Board of Adjustment in North Carolina* (Institute of Government 2d. ed. 1984)

### Articles

- "The Future of Impact Fees in Light of *Quality Built Homes, Inc. v. Town of Carthage*, 789 S.E.2d 454
- (N.C. 2016)," N.C. Bar Association, 2017 Zoning Planning & Land Use Section Annual Meeting (April 6, 2017).
- Op-ed article: Gorsuch on the Supreme Court Will Not Cause the Sky to Fall, *The Herald Sun* (February 10, 2017).
- "Illegal Fees and Attorneys' Fees, N.C. Bar Association, 2016 Zoning, Planning & Land Use Section Annual Meeting (March 18, 2016).
- Op-ed article: When Politics Becomes a Team Sport, We All Lose, *The News & Observer*, (February 2, 2016).
- "Arguing For a Broad Construction of the Zoning Power," N.C. Association of County Attorneys Winter Conference (UNC School of Government, February 6, 2015).
- "The Current Scope of Local Government Land-Use Regulation Powers: Have We Turned Back to the 1870s?," 18 *The North Carolina State Bar Journal*, No. 4 at 8-12 (Winter 2013).

- "Legal Talking Points for Interpreting Lanvale Contextually," N.C. Municipal Attorneys Winter Conference (UNC School of Government, March 14-15, 2013).
- "Major Overhaul of Annexation Statutes: What Does It Mean for Land Use Practitioners?," Land Use Law Quarterly (NC Bar Association January, 2012)
- "New Statute Makes Important Changes to the Statute of Limitations Applicable to Challenges to Zoning Ordinances," Land Use Law Quarterly (NC Bar Association October, 2011).
- "An Introduction to Form-Based Zoning," Land Use Law Quarterly (NC Bar Association April, 2010).
- "Land Use Options for Protecting Downtown as a Retail Destination," Land Use Law Quarterly (NC Bar Association, December, 2009).
- "Effective Advocacy in Mediation," 11 *The North Carolina State Bar Journal*, No. 2 at 16 (Summer 2006); reprinted in *Civil Trial From Start to Finish* at 54-58 (National Business Institute, Eau Claire, Wisconsin, July 2006); reprinted in *General Practice Plus* at 3 (Virginia State Bar, General Practice Section, Spring 2007).
- "How to Value a Case for Negotiation and Settlement," 10 *The North Carolina State Bar Journal*, No. 2 at 32 (Summer 2005); reprinted in 31 *The Montana Lawyer*, No. 3 (November, 2005).
- "10 Tools for Mediation Caucuses," 41 TRIAL, No. 5 at 66 (May, 2005).
- "Getting the Most Out of Your Appraiser (Updated)," CLE International Eminent Domain Conference (August 14-15 2003).
- "Local Regulation of Intensive Livestock Operations After *Craig v. County of Chatham*," North Carolina Bar Association CLE Program (October 4, 2002).
- "The Law of Depositions in North Carolina," North Carolina Academy of Trial Lawyers CLE Program (January 11, 2002).
- "Fighting Crime Through Nuisance Abatement," 19 Campbell Law Observer No. 19, at 1 (January 1998).
- "Appendices: Practice Pointers for Brief Writing, and Practice Pointers for Oral Argument," in Duncan & Solari, *North Carolina Appellate Advocacy*, (The Harrison Co., 1995 Supplement).
- "What's New About Punitive Damages," 43 *The North Carolina State Bar Quarterly*, No. 2, at 6 (Spring, 1996).
- "Enter Opening Statement: Staging the Case," 31 *Trial* No. 7, at 57 (July, 1995); reprinted for the Women Lawyers Assoc. of Los Angeles 2nd Annual Women Litigators Forum, Nov. 11, 1995, and the Philadelphia Bar Association Annual Education Conference on "Effective Trial Advocacy," December 4, 1996.
- "How to Master Direct Examination: Practical Perspectives," 31 *Trial* No. 4, at 70 (April, 1995); reprinted in 41 *The Trial Lawyers Guide*, No. 2 (Summer 1997); reprinted by the Pennsylvania Bar Institute, Continuing Legal Education (1997).

- "Chapter 15: Local Government Administrative Issues," *The North Carolina Administrative Law Guide* (1996).
- "Oral Deposition Taking," Chapter 6 in *Civil Discovery Practice in North Carolina* (Law Practice Handbooks, Inc. 1995).
- "Out of Focus: The Fuzzy Line Between Regulatory 'Takings' and Valid Zoning-Related 'Exactions' in North Carolina and Federal Jurisprudence," 16 *Campbell L. Rev.* 3 (1994).
- "Taking a Deposition Under North Carolina Law," 21 *N.C. Central Univ. Law Journal* No. 2, at 215 (1995).
- "A Practical System for Legal Research," 21 *N.C. Central Univ. Law Journal*, No. 1, at 85 (1994).
- "The New Amendments to the Federal Rules of Civil Procedure," 41 *The North Carolina State Bar Quarterly*, No. 2, at 26 (Spring, 1994).
- "Preserving the Record for Appeal Under North Carolina Law," 40 *The North Carolina State Bar Quarterly*, No. 4, at 32 (Fall 1993).
- "Preserving the Trial Record for Appeal," 29 *Trial*, No. 10, at 45 (1993).
- "Effective Appellate Oral Argument," 16 *The Champion*, No. 10, at 43 (December, 1992).
- "The Case for Submitting Written Instructions to the Jury," 39 *The North Carolina State Bar Quarterly*, No. 4, at 14 (Fall, 1992).
- "Practice Pointers for Appellate Oral Argument," 28 *Trial*, No. 10, at 64 (October, 1992); reprinted in Brinkos, Janet L., *Course Book on: "The Woman Advocate '94"* (Seminars sponsored by Prentice Hall Law & Business and the Section of Litigation of the American Bar Association, April 14-15, 1994 in New York City; May 5-6, 1994 in Chicago; and May 19-20, 1994 in San Francisco); reprinted for the *King Hall Civil Rights Clinic Student Manual*, University of California School of Law at Davis (1996); reprinted for the Federal Public Defender, District of New Mexico seminar on "How to Do a Federal Criminal Appeal," February 27, 1998 in Las Cruces, New Mexico; reprinted for St. John's University School of Law (summer course, 1999); reprinted for the Honorable Rhonda Reid Winston, Superior Court of the District of Columbia, presentation at the Charlotte E. Ray Inn of Court meeting, October 23, 2003.
- "How to Do a Federal Criminal Appeal," February 27, 1998 in Las Cruces, New Mexico.
- "Practice Pointers for Appellate Brief Writing," 28 *Trial*, No. 9, at 122 (September, 1992); reprinted for the Federal Public Defender, District of New Mexico seminar on "Effective Appellate Brief Writing," 16 *The Champion*, No. 7, at 35 (August, 1992).
- "Appellate Oral Argument in Epitome," 39 *The North Carolina State Bar Quarterly*, No. 3, at 8 (Summer, 1992).
- "Appellate Brief Writing in Epitome," 39 *The North Carolina State Bar Quarterly*, No. 2, at 6 (Spring, 1992).

- "The North Carolina Supreme Court's New Frivolous Appeal Rule," 36 *The North Carolina State Bar Quarterly*, No. 3, at 16 (Summer, 1989).
- "A Comparative Summary of Current State Drug-Testing Legislation," 3 *Employee Testing & the Law*, No. 6, at 1 (June 1988).
- "Limiting Litigation Over Land Use Decisions," *Public Risk*, (Public Risk Management Association, Sept./Oct. 1988).
- "Is North Carolina's Frivolous Appeal Rule Frivolous?," 9 *Campbell Law Observer*, Nos. 3 and 4 (April & May, 1988). (Effective July 1, 1989 the N.C. Supreme Court adopted a new Appellate Rule 34 as proposed in this article).
- "Negligence in Employee Drug Testing," 92 *Case & Comment*, No. 4, at 3 (July-Aug. 1987); reprinted in 1 *Employee Testing & the Law*, No. 4, at 1 (Dec. 1986), and 19 *Trial Briefs*, No. 3, at 27 (1987).
- "Intentional Infliction of Emotional Distress in Employee Drug Testing," 2 *Employee Testing & the Law*, No. 3, at 1 (1987).
- "Double Criminality and Complex Crimes," Chapter 12 in Nanda & Bassiouni, *International Criminal Law—A Guide to U.S. Practice and Procedure*, (Practicing Law Institute, 1987), at 365; reprinted for the National Association of Criminal Defense Lawyers Seminar, Feb. 12- 16, 1986, Acapulco, Mexico.
- "The Fourth Circuit Construes the Inscrutable Comprehensive Forfeiture Act of 1984 in *United States v. Harvey*," 4 *Inside Drug Law*, No. 4, at 1 (May/June 1987).
- "International Extradition in Drug Cases," 10 *N.C. Journal of International Law & Commercial Regulation*, No. 2, at 353 (Spring, 1985); reprinted in the Advanced Criminal Practitioners Seminars, National Association of Criminal Defense Lawyers, Fourth Annual Hawaii Seminar, Maui, May 10-17, 1985.
- "Fending off Forfeiture," 21 *Trial*, No. 12, at 70 (Dec. 1985).
- "International Extradition in CCE and RICO Cases," 9 *Inside Drug Law*, No. 2, at 5 (Nov., 1985).
- "Protecting Innocent Owners from Drug-Related Forfeiture," 2 *Inside Drug Law*, No. 2, at 1 (March, 1985).
- "Problems of Double Criminality," 21 *Trial*, No. 1, at 58 (January 1985).
- "Legal Implications of Human In Vitro Fertilization for the Practicing Physician in North Carolina," 6 *Campbell Law Review*, at 5 (Spring, 1984).
- "Saving Your Client's Ox: Some Fundamental Considerations and Defenses to Forfeiture Under 21 U.S.C. 881," 8 *The Champion*, No. 1, at 11 (Jan./Feb., 1984; reprinted in 15 *Trial Briefs*, No. 1 (1984).
- "Flexibility Without Arbitrariness in the Zoning System: Observations on North Carolina Special Exception and Zoning Amendment Cases," 53 *N.C. Law Review* 925-958 (1975).

## PRESENTATIONS BY FIRM MEMBERS

- Faculty Presenter, "The 2019 Zoning, Planning and Land Use Debate," Zoning, Planning & Land Use Law Section Annual Meeting (NC Bar Association, April 5, 2019)
- "Amotion, Off the Rails and Then Some," NC Carolina Municipal Attorney's Association Winter Conference (UNC-School of Government, March 22, 2019)
- Faculty Presenter, "Local Government Compliance With the "Reasonable Accommodation" Requirement of the FHA, ADA, and RA," NC Municipal Attorney's Association Summer Conference, August 2-4, 2018
- "Quasi-Judicial Procedure: Evidence and Building a Record," City of Creedmoor Board of Adjustment (July 12, 2018)
- "Code Enforcement," N.C. Municipal Attorney's Association Winter Conference (UNC-School of Government, March 23, 2018)
- "Wireless Telecommunication Zoning after H.B. 310," NC Association of Zoning Officials (February 19, 2018)
- "Wireless Telecommunications Workshop," sponsored by the Town of Carthage and The Brough Law Firm, PLLC (NC Chapter of the American Planning Association, December 12, 2017)
- "Reexamining Checks and Balances: Legislative Changes to State and Local Government," Government and Public Sector Section (NC Bar Association, November 17, 2017)
- Telecommunication and Public Rights-of-Way Ordinances, Town of Carthage Board of Commissioners and Planning Board (August 23, 2017)
- "The Future of Water and Sewer Impact Fees," Zoning, Planning & Land Use Law Section Annual Meeting (NC Bar Association, April 6, 2017)
- "Local Government Overview," City of Creedmoor Board of Commissioners (May 17, 2016)
- "Illegal Fees and Attorneys' Fees," Zoning, Planning & Land Use Section Annual Meeting (NC Bar Association, March 18, 2016)
- "Trial Advocacy Tips," Campbell Law School Trial Advocacy Program (Campbell Law School, March 25, 2015)
- "Professionalism Issues for Local Government Counsel," Professionalism for New Attorneys Program (NC Bar Association, October 14, 2015)
- "Protecting Endangered Properties - Prevention of Demolition by Neglect and Other Preservation Tools," Preservation North Carolina Annual Conference. (Salisbury, NC, September 17, 2015)
- "A Reluctant Acceptance of Public Private Partnerships in North Carolina," Zoning Planning and Land Use Law Section Annual Meeting (NC Bar Association, March 27, 2015)
- "A Discussion of *Lanvale Properties v. County of Cabarrus*," NC Association of County Attorneys Winter Conference (U.N.C.-School of Government, February 6, 2015)



- "Quasi-Judicial Procedures," Town of Aberdeen Planning Board and Historic Preservation Commission (January 15, 2015)
- "Fair Housing and Local Government Land-use Regulations Affecting Persons with Disabilities," Town of Cary Board of Adjustment (October 6, 2014)
- "Fair Housing and Reasonable Accommodations by Local Governments," 2014 North Carolina Planning Conference (October 2, 2014)
- "Managing the Attorney-client Relationship and Organization of a Legal Department," Professionalism for New Admittees Program (NC Bar Association, May 15, 2014)
- "The State of Local Government Powers after *Lanvale Properties, LLC v. Cabarrus County* and into the Future," Joint Zoning, Planning & Land Use Section and Government/Public Sector Section C.L.E. Program (NC Bar Association, March 28, 2014)
- "The Aberdeen Board of Commissioners," Town of Aberdeen Board of Commissioners (February 27, 2014)
- "The Aberdeen Planning Board: An Introduction," Town of Aberdeen Planning Board (October 17, 2013)
- "Quasi-Judicial Procedure," City of Concord Board of Adjustment (August 28, 2012)
- "*Lanvale Properties, LLC v. Cabarrus County* and the City of Locust and Its Implications," N.C. Municipal Attorney's Association Winter Conference (UNC-School of Government, March 14-15, 2013)
- "Quasi-Judicial Procedure," Town of Cary Board of Adjustment (March 22, 2011)
- "Town of Aberdeen Historic Preservation Commission," Town of Aberdeen Historic Preservation Commission (March 21, 2011)
- Lecture on "Litigation in Real Estate Development Process" course at Kenan-Flagler School of Business (UNC-Chapel Hill, January 27, 2011)
- Testimony on behalf of the National League of Cities, National Association of Counties, National Sheriffs Association, National School Boards Association, International City-County Management Association, International Public Management Association for Human Resources, et. al. in Opposition to H.R. 413, Public Safety Employer-Employee Cooperation Act of 2009, before the U.S. House of Representatives Subcommittee on Health, Employment, Labor and Pensions, 111th Congress (March 10, 2010)
- "With a Little Help From My Friends—Negotiation Techniques," NC Bar Association CLE, "We Can Work It Out—15th Dispute Resolution Section Annual Meeting," (April 11, 2008)
- Leadership Lecture (Elon University Center for Leadership, March 12, 2008)
- "Constitution Day," Lecture to Elon University, College of Arts & Sciences: "Exploring Some Common Constitutional Myths" (September 19, 2007)
- "The Legal Responsibilities of the Landlord Under NC Law," Housing Workshop (City of Roxboro, N.C., July 23, 2007)
- "Professionalism in Your Practice" (Orange County Bar Association CLE Second Celebration of Professionalism, January 26, 2006)

- "Law Students and Lawyers in Professionalism" (Orange County Bar Association CLE on Professionalism, February 12, 2004)
- "Update on the City of Hickory Unified Development Ordinance" (Catawba County Bar Association meeting, June 12, 2009)
- "Development Agreements and Conditional Zoning in North Carolina" (Moore County Planning Retreat, August 15, 2008)
- "Origin, History, And Status Of Bill Dealing With Quasi-Judicial Land Use Decisions" (Law Seminars International Two-Day Conference, July 24-25, 2008)
- "Senate Bill 212: Land-Use Permit Appeals" (N.C. Bar Foundation, May 3, 2007)
- "Governmental Immunity" (UNC-School of Government, October 27, 2005)
- "Judicial Review of Quasi-Judicial Zoning Decisions" (NC Bar Foundation, May 7-8, 2004)
- "Getting the Most Out of Your Appraiser (Updated)" (CLE International Eminent Domain Conference, August 14-15, 2003)
- "Local Regulation of Intensive Livestock Operations After *Craig v. County of Chatham*" (NC Bar Association CLE Program October 4, 2002)
- "Getting the Most Out of Your Appraiser" (CLE International Eminent Domain Conference, June 27-28, 2002)
- "Neither Fish Nor Fowl: Conditional Use Zoning" (NC Bar Foundation, 2002)
- "The Law of Depositions in North Carolina" (N.C. Academy of Trial Lawyers CLE Program January 11, 2002)
- "A Proposed Statute Dealing With Appeals of Quasi-Judicial Land Use Decisions" (NC Bar Foundation, 2001)
- "How Land Use Regulations Can Affect Property Values" (NC Bar Foundation, 1999)
- "Appealing to and From the Board of Adjustment" (NC Bar Foundation, 1997)
- "Update in Telecommunications Law with an Emphasis on Cell Tower Permitting," NC Municipal Attorneys' Conference (August, 1997)
- "Punitive Damages," Seventh Annual Festival of Legal Learning (UNC-School of Law CLE, 1997)
- "Enforceability of Manager Employment Agreements," NC City-County Management Association Winter Conference (Chapel Hill, February 9, 1996)
- "Overview of the Telecommunications Act of 1996," NC Association of Municipal Attorneys Summer Conference (Pinehurst, August 3, 1996)
- "Ethics of Witness Preparation" (UNC-School of Law CLE, 1996)
- "Rate Regulation and Other Issues Affecting NC Municipalities in the Cable Television Consumer Protection and Competition Act of 1992 and FCC Regulations and Rulings," NC League of Municipalities Annual Convention (Asheville, October 18, 1994)

- “*Dolan vs. Tigard: The Supreme Court Advances Taking Law*” (NC Bar Foundation 1994)
- “Legal Issues in Obtaining Development Permission for Your Client Under Local Zoning and Subdivision Ordinances” (Wake Forest CLE, 1992)
- “Liability of Local Governments for Damages for Unlawful Land Use Decisions” (NC Bar Foundation, 1991)
- “Recent Developments in N.C. Land Use Law” (National Business Institute, Inc., 1990)
- “Legal Issues in Obtaining Development Permission for Your Client Under Local Zoning and Subdivision Ordinances” (Wake Forest CLE, 1990)
- “Local Watershed Protection Programs, Water Rights Resources and Quality,” NC Bar Foundation and Environmental & Natural Resources Law Section, NC Bar Association (1990)
- “Ethical Considerations in Civil Litigation & Appellate Practice” (NCCU School of Law CLE, 1990)
- “Land Use Litigation Procedural Issues, Land Use Regulation and Planning,” NC Bar Foundation and Real Estate Section, NC Bar Association (1988)
- “Vested Rights,” Land Use Litigation Seminar (NC Academy of Trial Lawyers, 1987)

## ORGANIZATIONAL AFFILIATIONS OF FIRM MEMBERS

- North Carolina Bar Association, Zoning, Planning, and Land Use Law Section
- North Carolina Bar Association, Government and Public Sector Section
- North Carolina Association of Municipal Attorneys
- North Carolina Council of School Attorneys
- Scribes – The American Society of Writers on Legal Subjects
- North Carolina Council of School Attorneys

## BAR MEMBERSHIPS FOR FIRM MEMBERS

- North Carolina State Bar
- US District Court, Eastern District, N.C.
- US District Court, Middle District, N.C.
- US District Court, Western District, N.C.
- US Court of Appeals for the Fourth Circuit
- United States Supreme Court



CHAPEL HILL • CONCORD • RALEIGH

[broughlawfirm.com](http://broughlawfirm.com)