

PRACTICE AREAS

- Class Actions & Multi-District Litigation
- ERISA & Benefits
- Government, Internal Investigations & Criminal Defense
- Litigation
- Securities & Corporate Litigation

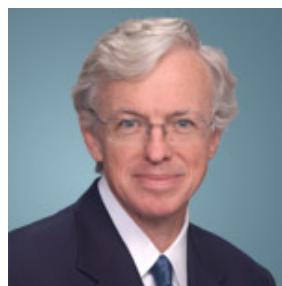
EDUCATION

- B.A., College of the Holy Cross, cum laude; Phi Beta Kappa
- J.D., Duke University; Order of the Coif; Articles Editor, Duke Law Journal

BAR & COURT ADMISSIONS

- New York
- North Carolina
- U.S. Supreme Court
- U.S. Court of Appeals, Federal Circuit
- U.S. Court of Appeals, Fifth Circuit
- U.S. Court of Appeals, Fourth Circuit
- U.S. Court of Appeals, Eleventh Circuit
- U.S. Court of Appeals, Ninth Circuit
- U.S. Court of Appeals, Eighth Circuit
- District of Columbia
- All North Carolina Federal District Courts
- All New York Federal District

JAMES (JIM) P. MCLOUGHLIN, JR.



MEMBER

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CHARLOTTE

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In complex, high-stakes civil and criminal trials, arbitrations, and appeals, Jim McLoughlin works to maximize the impact of the entire litigation team, including co-counsel.

His extensive litigation and arbitration track record includes arbitrations before the NASD, the NYSE, the American Arbitration Association, and the International Chamber of Commerce; trials and appeals in numerous states; and international matters in Latin America.

- Mr. McLoughlin is currently representing a healthcare company in the defense of an anti-trust class action in Arizona arising from alleged price-fixing by hospitals in the hiring and payment of hospital staff, including nurses.
- He assists a client with the management of its litigation portfolio, including tax, civil, regulatory and labor matters in South America.
- In 2009, he won an arbitration defending a client against multi-million dollar Sarbanes-Oxley and state law claims brought by a terminated employee who alleged he was terminated because he was a whistleblower.
- He represented the Bank of America Corporation in connection with the investigation of that corporation's merger with Merrill Lynch by the Attorney General of North Carolina and the negotiation of the settlement of that investigation.

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Courts

OTHER AREAS OF LAW

- Trials
- Arbitrations
- Appeals

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- Mr. McLoughlin is currently representing W.R. Starkey Mortgage of Dallas, Texas, in the defense of a license revocation proceeding before the North Carolina Banking Commissioner and a civil regulatory proceeding brought by the Attorney General of North Carolina.
- In 2009, Mr. McLoughlin represented a defendant in a federal criminal fraud case arising from a multi-national, multi-million dollar telephone sweepstakes fraud.
- He is currently representing several clients subject to insider trading investigations by the U.S. Securities and Exchange Commission.

Services Mr. McLoughlin provides his diverse clients include:

- Complex business litigation
- Corporate investigations
- Securities litigation and arbitration
- ERISA litigation
- Class action litigation
- Healthcare litigation
- Criminal defense, including:
 - Internal investigations
 - White collar crime
 - Grand jury matters

Representative Cases

Important reported civil matters in which Mr. McLoughlin has participated include:

- *Rexam Inc. v. United Steel Workers of America*, 2006 WL 2530304 (D. Minn. August 31, 2006).
- *Robert A. Johns v. Rexam Medical Packaging*, 2005 WL 1308319 (M.D. Ga. June 1, 2005), aff'd 2006 WL 1071854 (11th cir. 2006).
- *Simonini v. Bell*, 2003 U.S. App. Lexis 13295 (4th Cir. 2003).

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JAMES (JIM) P. MCLOUGHLIN, JR.

- *Coastal Healthcare v. Schlosser*, 673 So.2d U.S. App. 62 (Fla. App. 1996).
- *Moss v. J.C. Bradford & Co.*, 334 N.C. 688; 436 S.E.2d 381 (N.C. S.Ct. 1993).
- *Jeske v. Brooks*, 875 F.2d 71 (4th Cir. 1989); Fed. Sec. L. Rep. (CCH) P94, 494 (1989).
- *Lowder v. All Star Mills, Inc.*, 103 N.C. App. 479; 405 (1991) aff'd 330 N.C. 119; 409 S.E.2d 595 (1991).

Key reported criminal matters include:

- *United States v. Hammoud*, 2004 U.S. App. LEXIS 15898 (4th Cir. 2004).
- *United States v. Locust*, 2004 U.S. App. LEXIS 8175 (4th Cir. 2004).
- *United States v. Mattox*, 1998 U.S. App. Lexis 37048 (4th Cir. 1999).

OF NOTE

- Published "Deconstructing United States Sentencing Guidelines Section 3A1.4: Sentencing Failure in Cases of Financial Support for Foreign Terrorist Organizations," University of Minnesota's Law Journal entitled *Law & Inequality: A Journal of Theory & Practice*, Vol. 28, No. 1, Winter 2010
- Fellow of the Litigation Counsel of America
- Named to Marquis' *Who's Who in American Law*, 2003-2004, 2005-2006 and 2007-2008
- Elected to *Charlotte Magazine's* "Super Lawyers" list (Business Litigation, Criminal Defense, Securities Litigation), 2006-2008
- Listed in *Business North Carolina's Legal Elite*, (Litigation) 2005
- Featured by Chambers Partners in "America's Leading Lawyers for Business" (Litigation: General Commercial) in North Carolina, 2006 and 2007
- Selected for inclusion in *The Best Lawyers in America* for 2009 & 2010.
- Recognized in the 2010 edition of *Benchmark Litigation* as a "State Local Star" for the highest quality of litigation work over the past year.

CONTINUED

JAMES (JIM) P. MCLOUGHLIN, JR.

PROFESSIONAL AFFILIATIONS

- Law Clerk to Hon. Eugene Gordon, Senior Judge, United States District Court, Middle District of North Carolina
- Member, Board of Trustees, Lawyers' Committee for Civil Rights Under Law
- American Bar Association
- North Carolina Bar Association
- New York State Bar Association
- National Association of Criminal Defense Lawyers