

## PRACTICE AREAS

- Bankruptcy & Financial Restructuring
- Class Actions & Multi-District Litigation
- Commercial Construction & Development Litigation
- Financial Services & Insolvency Litigation
- Litigation
- Real Estate, Land Use/ Eminent Domain
- Securities, Corporate Governance & Sarbanes-Oxley
- Unfair Trade & Antitrust

## EDUCATION

- B.A., Hamilton College, 1992, magna cum laude; Phi Beta Kappa
- J.D., Duke University, 1995; Editorial Board, Duke Law Journal

## BAR & COURT ADMISSIONS

- North Carolina, 1996
- South Carolina, 1996
- New York, 1997

## SCOTT M. TYLER



### MEMBER

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### CHARLOTTE

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Scott Tyler is co-team leader of the Litigation Practice Group. He strives to give his clients sound, sophisticated and practical advice to help them find the best way to resolve disputes. Mr. Tyler provides clients responsive attention and aggressive action. He has considerable experience in commercial and business litigation and trial work, including contract, tort, real estate, financial services, and construction-related disputes.

In addition to his extensive litigation and arbitration know-how, he possesses considerable experience in advising clients in negotiating, drafting, and executing construction contracts.

His services to clients include:

- Jury and non-jury trials
- Arbitrations, including international proceedings
- Mediations
- Other forms of alternative dispute resolution
- Commercial disputes
- Construction law
- Business torts
- Creditors' rights representation

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**SCOTT M. TYLER****Representative Cases:**

- *Piedmont Natural Gas Co., Inc. v. Cannon Sline Industrial, Inc.*, American Arbitration Association (2011). Obtained significant award for client in dispute over termination of industrial painting contract.
- *Geo Plastics v. Beacon Dev. Co.*, 434 Fed. Appx. 256 (4th Cir. 2011). Obtained summary judgment for real estate developer sued by potential purchaser of commercial property.
- *Nucor Corporation v. J. Baker & Associates* (E.D. Ark. 2009). Obtained jury verdict of no liability on \$6 million counterclaim and third-party claim in commercial contract dispute.
- *Brockland et al. v. Bank of Granite*, N.C. Superior Court (2007). Obtained judgment for bank and bank president in multimillion dollar lender liability action.
- *Warner Electric, LLC v. Olds Properties Corp.* American Arbitration Association (2006). Obtained significant award for client in commercial lease dispute.
- *Eric Riebling Co. v. Martin Woodworking Machines*, International Court of Arbitration (2004). Limited claimant to just six percent of damages sought in arbitration proceeding regarding agreement for distribution of machinery.
- *Kismet Arrowood, LLC v. Reliance Insurance Company*, N.C. Superior Court (2004). Obtained summary judgment significantly limiting scope of surety's liability on performance bond.
- *Nucor Steel Arkansas v. Belgian Scrap Terminal NV*, American Arbitration Association (2003). Obtained significant award in international arbitration proceeding regarding steel scrap supply contracts.
- *Horack v. Southern Real Estate*, 563 S.E.2d 47 (2002). Obtained directed verdict wage & hour act and unfair trade practices claims and jury verdict on fraud claim in real estate brokerage dispute.
- *Bank of America v. Fab-Con Development Corp.*, N.C. Superior Court (2000). Obtained summary judgment for bank against third-party creditor in lease/secured transaction dispute.

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## **SCOTT M. TYLER**

### OF NOTE

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- Author, "Liquidating: Stipulated Damages for Delay in Public Construction Contracts," 44 Duke L.J. 357 (1994)
- Law Clerk to Honorable Thomas J. McAvoy, United States District Court, Northern District of New York, 1995-1996
- AV peer review rated, Martindale-Hubbell legal directory
- Included in *Business North Carolina's* Legal Elite list, 2004 - 2005, 2009. His primary area of practice is Construction Law.
- Selected for inclusion to the *North Carolina Super Lawyers* list in 2006-2012. His primary area of practice is General Litigation.
- Chairman, Town of Matthews Transportation Board, 2003-2004
- Vice President and General Counsel, Charlotte Trolley, Inc., 2004-2008
- Recognized in the 2010-2012 editions of *Benchmark Litigation* as a "Future Star"

### PROFESSIONAL AFFILIATIONS

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- North Carolina Bar Association