

## PRACTICE AREAS

- Class Actions & Multi-District Litigation
- Environmental Litigation & Toxic Torts
- Financial Services & Insolvency Litigation
- Litigation
- Product Liability and Tort Litigation
- Securities, Corporate Governance & Sarbanes-Oxley
- White Collar, Regulatory Defense, and Investigations

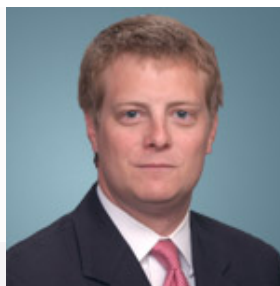
## EDUCATION

- B.A., University of North Carolina at Chapel Hill, 1999
- J.D., Wake Forest University, 2002

## BAR & COURT ADMISSIONS

- North Carolina, 2002
- District of Columbia, 2003
- All Federal District Courts in North Carolina
- U.S. District Court for the District of Columbia
- U.S. Court of Appeals, Fourth Circuit

## JOHN A. FAGG, JR.



### MEMBER

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### CHARLOTTE

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John Fagg is a member in Moore & Van Allen's Litigation Group. In addition to being an experienced trial lawyer, Mr. Fagg has extensive experience in conducting internal investigations and representing clients in regulatory enforcement and white collar criminal defense matters.

In his white collar criminal defense and government investigations practice, Mr. Fagg has represented clients in matters involving the Securities and Exchange Commission (SEC), the Commodity Futures Trading Commission (CFTC), various U.S. Attorneys' offices, the Department of Justice (DOJ), the Food & Drug Administration (FDA), and the North Carolina Attorney General's Office, as well as self-regulatory bodies such as the Financial Industry Regulatory Authority (FINRA). He regularly conducts corporate internal investigations, including matters involving allegations of securities violations and allegations of violations of federal and state laws and regulations.

Mr. Fagg has extensive litigation experience in a wide variety of complex litigation matters, including financial services litigation, products liability claims, complex commercial disputes, allegations of unfair trade practices, and the defense of environmental claims in both the federal and state court systems.

Mr. Fagg has defended clients in serial litigation in federal and state courts throughout the United States and in multi-district litigation.

- He has successfully opposed attempts to certify a class actions related to exposure to industrial chemical compounds.
- He has coordinated discovery in multi-jurisdictional litigation and multi-district litigation regarding allegations of alleged adverse health effects from

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pharmaceutical products, medical devices and chemical exposure.

- He has successfully opposed attempts to certify a class action regarding alleged adverse health effects from pharmaceutical products.
- He has substantial experience working with expert witnesses in a wide variety of disciplines, including matters involving medical devices and pharmaceutical products.

Mr. Fagg also has an active pro bono practice in which he represents indigent defendants in federal criminal cases.

Before joining Moore & Van Allen, Mr. Fagg practiced with a large law firm in Washington, D.C.

**Representative Cases:**

- Obtained a jury verdict of no liability on \$6 million counterclaim and third-party claim in a commercial contract dispute. *Nucor Corporation v. J. Baker & Associates, Inc.* (E.D. Ark. 2009).
- Defended government contractor at trial in federal court in connection with multi-million dollar international construction contract. (E.D. Va 2004).
- Member of appellate team that successfully defended the appeal of a summary judgment dismissal of a multi-billion dollar natural resource damages claim. (10th Cir. 2006).
- Member of appellate team that defended a large corporation in an appeal in the 11<sup>th</sup> Circuit Court of Appeals and a certified question to the Georgia Supreme Court involving allegations of environmental contamination; the successful appeal led the 11<sup>th</sup> Circuit Court of Appeals to set aside a \$20 million verdict. (Supreme Court of Georgia, 2005; 11th Cir 2005).

**OF NOTE**

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- Selected by the Community Building Initiative as a Leader Under 40
  - Coordinator of MVA/Legal Aid of North Carolina landlord/tenant pro bono partnership

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**JOHN A. FAGG, JR.**

- Member, Moore & Van Allen's Public Service Committee
- Steering Committee Member, Arts & Science Council, Young Donor Society
- Member, School of Law Honor Council, Wake Forest University

PROFESSIONAL AFFILIATIONS

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- Federal Bar Association
- National Association of Criminal Defense Lawyers
- American Bar Association: Criminal Justice Section (White Collar Crime Committee); Litigation Section
- North Carolina Bar Association
- Justice William Bobbitt Inn of Court