

## ROBERT "BOBBY" C. BOWERS

*Member, Litigation*

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Bobby Bowers is a civil litigator who regularly represents and counsels clients with complex commercial disputes.

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Bobby has considerable experience in real estate and construction-related matters, eminent domain proceedings representing property owners, manufacturer-distributor relationships, fiduciary litigation arising from wealth transfers and trust and estate administration, equipment lease disputes, and railroad equipment matters including car hire enforcement and end-of-lease/return condition litigation. He has represented clients in matters involving California's Proposition 65/Safe Drinking Water and Toxic Enforcement Act. Bowers has also represented clients in a range of employment matters.

Bobby has successfully represented engineering and architectural firms; commercial and residential property owners, developers, contractors, landlords and tenants; institutional and private trustees; railroad equipment owners; and manufacturers of consumer and other products. Prior to joining the firm, his practice included defense of medical and other professional negligence matters.

### Representative Client Services

- Commercial contract disputes
- Construction disputes
- Trust, estate & fiduciary disputes
- Lease disputes
- Real estate and equipment
- Distributorship disputes
- Defense of condemnation actions

### Capabilities

- Civil Litigation
- Commercial Litigation
- Commercial Real Estate
- Financial Services Litigation
- Litigation, Regulatory & White Collar
- Real Estate & Construction Disputes
- Transportation, Infrastructure & Logistics
- Trust, Estate, Tax & Fiduciary Disputes

### Education

- B.A., Davidson College, 1993, magna cum laude, with honors, Phi Beta Kappa
- J.D., Duke University, 1996, magna cum laude

### Admissions

- United States Supreme Court, 2010
- North Carolina, 1996
- United States District Court for the Western District of North Carolina, 2000

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### Notable

- *Best Lawyers in America*, Commercial Litigation, 2013-2021; Litigation-Trusts and Estates, 2013-2021
- *Benchmark Litigation*, Local Litigation Star, 2019-2021; Future Star, 2010-2018
- *Business North Carolina* Legal Elite, Litigation, 2021
- North Carolina State Bar, Councilor, 26<sup>th</sup> Judicial District, 2015-present
- Member, Audit Committee, Mecklenburg County Bar, 2011-2015
- Member, Board of Paralegal Certification, North Carolina State Bar, 2012-present
- Member, Finance & Operations Committee, Mecklenburg County Bar, 2005-2011; Treasurer & Chair, 2005-2006
- Member, Professionalism Committee, North Carolina Bar Association, 2004-2005
- Martindale-Hubbell, Top Rated Lawyer, Land Use and Zoning, 2013
- *North Carolina Super Lawyers*, Civil Litigation Defense, 2012
- *Business North Carolina* Legal Elite, 2012
- *Business North Carolina* Legal Elite Young Guns, 2007
- North Carolina Pro Bono Honor Society, 2019-2020
- Pro bono counsel, real estate and lease issues
- Assisted with trial advocacy courses and competitions at Wake Forest University School of Law

United States District Court for the Middle District of North Carolina, 1998

United States District Court for the Eastern District of North Carolina, 2006

U.S. Court of Appeals, Fourth Circuit, 2012

### Affiliations

- North Carolina Bar Association: Litigation Section; Estate Planning & Fiduciary Law Section

### Representative Experience

- *Lenox, Inc. v. Offerman*, 140 N.C. App. 662, 538 S.E. 2d 203 (2000), affirmed, 353 N.C. 659, 548 S.E. 2d 513 (2001). Successfully represented the taxpayer plaintiff in state tax refund action involving classification of gain from the sale of a business division as non-business income.
- *First Charter Bank, Trustee of Last Will and Testament of Joseph F. Cannon v. American Children's Home, et al.*, 692 S. E. 2nd 457 N.C. App., (2010). Successfully represented trustee in proceeding to determine final disposition of trust assets at expiration of the 99-year

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term of a charitable trust and to modify trustee compensation provision.

- *Zepa Industries, Inc. v. Kimble, et al.*, 2008 U.S. District LEXIS 94602; 2008 A.M.C. 2885. Successfully opposed contractor's effort to preclude luxury yacht owner's right to recover loss of use damages based on admiralty choice of law issues.