

BEN E. SHOOK

Counsel, Litigation

t 704.331.3669

benshook@mvalaw.com



Ben Shook regularly represents companies and individuals in a variety of complex commercial disputes including shareholder disputes, business torts, and complex contract disputes. Having handled numerous federal and state court trials, including several bet-the-company disputes, Ben is a go-to litigator for high-stakes, commercial disputes.

Ben is a commercial litigator with a wealth of experience representing clients across a wide array of industries. When disputes cannot be resolved amicably and litigation is unavoidable, Ben helps his clients navigate the litigation process, primarily in federal court, and develop effective and efficient litigation strategies that align with their overall goals and interests. Ben also understands the business needs of his clients and works to find the appropriate solution, whether that be through early settlement or an aggressive trial strategy.

Prior to joining the firm, Ben gained invaluable experience working for a well-respected boutique firm in Charlotte where he focused on both litigation and bankruptcy matters. Ben has had nine trials, six of which were in federal court, has handled six appeals to both the North Carolina Court of Appeals and the Fourth and Sixth Circuit Court of Appeals, and has handled numerous arbitrations before private arbitration forums, including the AAA and FINRA.

Ben has represented individual securities brokers and investment advisors seeking unpaid commissions, minority and majority shareholders of close corporations in business divorce or fiduciary duty cases, employers and employees in matters involving trade secret misappropriation, and buyers and sellers in cases involving undelivered or defective goods and services. Whatever the dispute, Ben seeks to understand his clients' business and works tirelessly to tailor his litigation style to match their business needs and goals

Capabilities

- Antitrust
- Civil Litigation
- Class Actions
- Commercial Litigation
- Commercial Real Estate
- Consumer Disputes
- Corporate Governance & Shareholder Relations
- Financial Regulatory Advice & Response
- Financial Services Litigation
- Health Care
- Litigation, Regulatory & White Collar
- Real Estate & Construction Disputes
- Securities & Capital Markets Litigation

Education

J.D., University of North Carolina School of Law, with Honors, 2012

BEN E. SHOOK

In addition to his litigation experience, Ben draws heavily from his bankruptcy experience in fashioning his litigation strategy when a bankruptcy is anticipated either during the litigation or after his client obtains a judgment. Ben has sought and obtained relief from the automatic stay as well as favorable non-dischargeable judgments in favor of his clients when the other side filed for bankruptcy. As defense counsel, Ben has the experience to put his clients in the best possible litigation position when bankruptcy may be on the horizon.

Prior to law school, Ben served in the U.S. Air Force for six years as an Airborne Communications Systems Technician flying combat missions in support of Operation Enduring Freedom.

Notable

- *North Carolina Super Lawyers "Rising Star"*, 2021-2022
- Active foster parent and member of the Advisor Board of Foster Village Charlotte

Affiliations

Mecklenburg County Bar Communications Committee

Representative Experience

- Prassas Capital, LLC v. Blue Sphere Corp., successfully represented an investment advisor seeking unpaid commissions, obtaining multi-million judgment following a federal jury trial (W.D.N.C. 2019)
- Settlers Edge Holding Co., LLC v. RES-NC Settlers Edge, lead counsel in state court bench trial in a bet-the-company case with \$20 million in dispute. Obtained a favorable verdict following trial, which contributed to a favorable post-trial settlement (N.C. Super. Ct. 2018)
- Legacy Data Access, Inc. v. Cadrillion, LLC, successfully overturned jury verdict on appeal and obtaining dismissal of business torts asserted in conjunction with a contract dispute (4th Cir. 2018)

B.A., University of North Carolina at Greensboro, Psychology and Philosophy, summa cum laude

Admissions

United States District Court for the Middle District of North Carolina, 2017

United States Court of Appeals for the Fourth Circuit, 2015
North Carolina, 2012

United States District Court for the Western District of North Carolina, 2012

United States District Court for the Eastern District of North Carolina