




James P. Cooney, III

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Sectors

- Energy and Natural Resources
- Insurance

Services

- Dispute Resolution and Litigation
 - Medical Malpractice Defense
 - Criminal Defense
 - Commercial Litigation
 - Appellate Practice
- Catastrophic Torts
- Cyber and Privacy Laws



JAMES P. COONEY
III

RECOGNIZED BY
Best Lawyers

Jim Cooney practices civil and criminal law in both trial and appellate courts. He has handled some of the most complex, challenging and high profile cases in North Carolina and is recognized as one of the premier civil, “white collar” criminal, and healthcare litigators. He has represented numerous companies and individuals in complex and significant business disputes, governmental investigations, grand jury matters, internal investigations and “bet-your-company” cases for more than 30 years. He has tried more than 60 civil and criminal cases to verdict and argued nearly 50 appeals in the appellate courts of North Carolina and in the federal courts of appeal, including the Second and Fourth Circuits.

Jim is a fellow in the American College of Trial Lawyers and a Permanent Member of the Fourth Circuit Judicial Conference. He was selected for inclusion in The Best Lawyers in America in the fields of “Bet-the-Company” Litigation, Commercial Litigation, and Criminal Defense White Collar Litigation. In 2004 he received the N.C. Bar Association’s William Thorp Pro Bono Award and in 2010 the Wade Smith Professionalism Award for Criminal Defense. In addition to his practice, he is the Chairman of the Litigation Department where he oversees more than 300 timekeepers.

Representative Matters

Any result the lawyer or law firm may have achieved on behalf of clients in other matters does not necessarily indicate similar results can be obtained for other clients.

- Counsel for Duke Energy in connection with a multi-district grand jury investigation and civil litigation arising out of the Dan River coal ash spill.
- Counsel for Duke Energy in connection with simultaneous investigations by the North Carolina Utilities Commission and North Carolina Department of Justice into the change in the Chief Executive Officer following the merger of Duke Energy and Progress Energy.

James P. Cooney, III

Bar Admissions

- 1984, North Carolina

Admitted to practice before:

- United States District Court for the Eastern, Middle and Western Districts of North Carolina
- Fourth Circuit Court of Appeals
- U.S. Supreme Court
- All North Carolina State courts

Education

- J.D. , 1982, University of Virginia School of Law
 - The South Carolina Law Review
 - Order of the Coif
 - Research and Projects Editor, *Virginia Law Review*
- B.A., 1979, Duke University
 - Distinction in History
 - Phi Beta Kappa
 - *summa cum laude*

- Counsel for the Carolinas HealthCare System in federal and state antitrust litigation brought by the U.S. Department of Justice, the North Carolina Department of Justice, and individuals.
- Acting as counsel pro bono, freed a convicted death row inmate, Alan Gell, by exposing suppressed evidence that led to his wrongful conviction and sentence of death. Gell was the 113th person exonerated in the United States after being tried, convicted and sentenced to death. In the course of Gell's retrial, he presented first of its kind expert evidence in the forensic specialties of body decomposition/anthropology, reverse interior environmental engineering and entomology.
- Acting as counsel pro bono with the New York-based Innocence Project, freed Darryl Howard based upon DNA and forensic evidence. Howard was wrongfully convicted of double homicide and served more than 20 years in prison before he was released.
- Counsel for Reade Seligmann, one of the wrongfully accused players in the "Duke Lacrosse" Rape case. Working with a team of lawyers for the other wrongfully accused players, exposed prosecutorial misconduct in the suppression of favorable DNA evidence which resulted in the removal and eventual disbarment of the District Attorney and a dismissal of all charges and a declaration by the Attorney-General that the players were innocent.

Professional Activities

- Mecklenburg County Bar Association, Chair, Civil Litigation Section, 1993-1998
- North Carolina Bar Association, Chair, AIDS Task Force
- Member, North Carolina Association of Defense Attorneys, Board of Directors, 1992-1998, President, 1996-1997
- General Assembly Task Force on the Rules of Civil Procedure, 1997-1998
- Permanent Member, Fourth Circuit Judicial Conference
- Chair, Mecklenburg County Courts Committee, 1993-1998
- American College of Trial Lawyers; Member, Board of Directors, Community Defender Organization for the Western District of North Carolina, 2004 to present
- Special Select Committee for the North Carolina State Bar, Investigation into Hoke/Graves Disciplinary Hearing, 2005

Honors and Awards

- Chambers USA 2018 Ranked Lawyer, Litigation - General Commercial, North Carolina
- Super Lawyers Honoree, 2006-2019
- Recognized in The Best Lawyers in America© in the fields of Appellate Practice, Bet-the-Company Litigation, Commercial Litigation, Criminal Defense:

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General Practice, Criminal Defense: White-Collar, Medical Malpractice Law - Defendants, Personal Injury Litigation - Defendants, 2001-02 - Present

Civic Activities

- Board Member, Opera Carolina
- Board Member, Summit House, Community Health Services
- Board Member, Center for Death Penalty Litigation

Prior Legal Experience

- Member, Kennedy Covington Lobdell & Hickman, LLP, Charlotte, NC, 1989-2000
- Associate, Kennedy Covington Lobdell & Hickman, LLP, Charlotte, NC, 1983-1989
- Law Clerk, the Honorable John D. Butzner, Jr., U.S. Court of Appeals, Fourth Circuit, Richmond, VA, 1982-1983
- Summer Associate, Arnold & Porter, 1981