



W. Andrew Copenhaver

“Andy”

Profile

Andy Copenhaver is one of the firm’s most experienced trial attorneys. Mr. Copenhaver focuses on antitrust and other trade regulation matters including Lanham Act, trademark and unfair trade practices litigation. He is well-versed in class action and federal multi-district litigation, and has served as liaison counsel for all defendants in the multi-district matter *In Re Stucco Litigation*. Additionally, he frequently represents companies in administrative hearings and civil enforcement actions brought by federal and state agencies.

Areas of Practice

*Corporate Litigation /
Antitrust /
Unfair Trade Practices*

Contact Information

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Professional Activities

Fellow, American College of Trial Lawyers; Permanent Member, Fourth Circuit Judicial Conference; former Chairman, North Carolina Federal Bar Advisory Council (1995-1996); Member, Rules Committee, U.S. District Court for the Middle District of North Carolina; Member, Magistrate Judge Selection Committee, U.S. District Court for the Middle District of North Carolina (2009); Chair, U.S. District Court Magistrate Selection Committee, 2011.

Bar Associations: Forsyth County Bar Association, North Carolina Bar Association, Antitrust (former member, Executive Council), Litigation and Intellectual Property Sections; American Bar Association, Antitrust and Litigation Sections.

Admitted to practice before the United States District Court for the Eastern, Middle and Western Districts of North Carolina; Court of Appeals for the 4th, 5th and 6th Circuits; and the United States Supreme Court.

Admitted to Bar: 1972, North Carolina.

Listings

Mr. Copenhaver is listed in *The Best Lawyers in America: Business Litigation and Antitrust*. He also is listed in such publications as *Chambers USA's America's Leading Lawyers for Business (Antitrust and Litigation)*, *North Carolina Super Lawyers*, *North Carolina's Legal Elite*, and in *Who's Who in America* and *Who's Who in the World*.

Education

B.A., 1969, Duke University; Certificate of International Law, 1971, City University (London), with honors; J.D., 1972, University of North Carolina School of Law.

Prior Legal Experience

Summer internship, Duke University School of Law, 1970; Research/teaching assistantship, Institute of Government, UNC-CH, 1970-1972.

Firm Management Responsibilities

Antitrust and Trade Regulations, Practice Group Leader, 1987-2001.

Publications

Editor, North Carolina Law Section, *Business Torts, A Fifty-State Guide*, Aspen Publishers.

Representative Cases

United Guaranty Residential Insurance Company of North Carolina v. Countrywide Financial Corp and Countrywide Home Loans, Inc., MDNC (2009-2010) Represented Countrywide entities in federal lawsuit by mortgage insurer who asserted claims of breach of contract, fraud, and unfair trade practice arising from its issuance of mortgage insurance on billions of dollars of second home mortgages, securitized by Countrywide. Following successful motions to dismiss the tort based claims, the matter resolved favorably.

Static Control Components, Inc. v. Lexmark International, Inc., U.S.D.C., Eastern District of Kentucky, No. 5:04-cv-00084-GFVT; 487 F. Supp.2d 891 (E.D. Ky. 2007); 487 F. Supp.2d 861 (E.D. Ky. 2007); 487 F. Supp.2d 830 (E.D. Ky. 2007) (lead trial counsel in Lexmark's defense of antitrust and Lanham Act counterclaims in patent infringement action).

DeLoach, et al. v. Philip Morris Co., et al., U.S.D.C., Middle District of North Carolina, No. 1:00-cv-01235-WLO; 206 F.R.D. 551 (2002) (lead trial counsel for R. J. Reynolds Tobacco Company in defense of class-action Section 1 conspiracy).

Pro Billiards Tour Association Inc. v. R.J. Reynolds Tobacco Company, U.S.D.C., Middle District of North Carolina, No. 1:98-cv-00379; 187 F.R.D. 229 (1999) (lead trial counsel for R.J. Reynolds Tobacco Co. in case alleging breach of contract and unfair trade practices).

Food Lion, Inc. v. Capital Cities/ABC, Inc., et al., U.S.D.C., Middle District of North Carolina, No. 6:92-cv-00592; 951 F. Supp. 1224 (M.D.N.C. 1995), 951 F. Supp. 1233 (M.D.N.C. 1995); 964 F. Supp. 956 (M.D.N.C. 1996); 194 F.3d 505 (4th Cir. 1999) (lead trial counsel for Food Lion in fraud and unfair trade practices action).

Bepco, Inc. v. AlliedSignal, Inc., U.S.D.C., Middle District of North Carolina, No. 6:96-cv-00274; 106 F. Supp.2d 814 (M.D.N.C. 2000) (lead trial counsel for AlliedSignal (later Honeywell) in successful defense of Section 2 antitrust suit).

In Re Stucco Litigation, Master File No. 5:96-cv-287-BR(2), U.S.D.C., Eastern District of North Carolina; 175 F.R.D. 210 (E.D.N.C. 1997) (liaison counsel for all defendants in successful defense of nationwide class action).

Lawyers Title of North Carolina, Inc., et al. v. Investors Title Co., U.S.D.C., Middle District of North Carolina, No. 2:88-cv-00137-RCE-PTS (M.D.N.C. 1988) (lead trial counsel for plaintiffs in successful monopolization and conspiracy action).