

Pressly M. Millen



[Litigation for the Non-Litigious Company \(9-part video series\)](#)

Press is a trial attorney who has litigated a wide variety of complex business cases, including class actions, in federal and state courts throughout the United States. He has represented clients in numerous industries including pharmaceuticals, software, financial services, insurance, chemicals, telecom, and retail. He achieves success for his clients in litigation by being ready, willing and able to take those cases to trial.

For example, in 2015, Press led a trial team that obtained a \$26.3 million compensatory damages verdict (trebled in the judgment to over \$79 million) for the plaintiff in an action alleging fraud, breach of contract, and unfair and deceptive trade practices against a UK software company (*SAS Institute Inc. v. World Programming Ltd.* (U.S.D.C., E.D.N.C.)). More recently, in 2016, Press obtained a complete defense verdict for his client in an action concerning a chemical fire that destroyed an industrial facility in Detroit (*Diversified Chemical Technologies v. Rhein Chemie Corp.* (U.S.D.C., E.D. Mich.)).


Press has represented both defendants and plaintiffs in antitrust cases tried to verdict in federal courts. For example, he represented two North Carolina insurance company plaintiffs in a monopolization and conspiracy action in which the jury found liability on all claims after a seven-week trial ultimately resulting in a multi-million settlement for plaintiffs (*Lawyers Title of North Carolina, Inc., et al. v. Investors Title Co.* (U.S.D.C., M.D.N.C.)). In another trial, he obtained directed verdict in favor of a defendant-manufacturer on monopoly claims brought against it. *Implus, Inc. v. Schering-Plough Healthcare Products, Inc.* (U.S.D.C., M.D.N.C.). Among the clients Press has represented in antitrust litigation are Reebok International Ltd., Microsoft Corporation, Societe Air France, S.A., and Rhone-Poulenc Ag Company.

Press has also represented numerous clients in complex class actions including Microsoft, Abbott Laboratories, Eastman Kodak Company, Market America, Inc., and Pozen, Inc. He has litigated over a dozen trade secrets cases for clients including Bayer CropScience, SAS Institute, GlaxoSmithKline, and Overture Services, Inc. Press obtained a complete defense verdict for his clients in *TSC Research v. Bayer Chemicals & Lanxess Corp.* (U.S.D.C., M.D.N.C.), an action involving allegations of breach of contract and multiple torts, including misappropriation of trade secrets, in connection with a failed effort to market a chemical compound.

CONTACT INFORMATION

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SOCIAL MEDIA

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AREAS OF PRACTICE

- Litigation / Antitrust
- Trade Regulation
- Securities Tax Litigation
- ERISA Litigation
- Cyber and Privacy Law



PRESSLY M. MILLEN



Press regularly appears on behalf of clients in the North Carolina Court for Complex Business Litigation where he has represented, among other clients, BB&T Co., MasterCard International, Gilead Sciences, and Sealy Corp.

Press successfully defended the first civil RICO case tried to a jury verdict in North Carolina in *South Atlantic Ltd. P'ship of Tennessee v. Riese, et al.*, 284 F.3d 518 (4th Cir. 2002). Press also has substantial experience in dealing with investigations conducted by and litigation with the Securities and Exchange Commission, as well as in private securities fraud actions.

Press has been named by Business North Carolina as one of its Legal Elite in both Antitrust and Litigation. In 2003, Press was named Marketing Partner of the Year by the Elite Excellence in Legal Marketing awards.

Press has taught Pre-Trial Litigation at Duke Law School and is a recognized authority on various legal issues related to complex litigation. He frequently lectures other lawyers on the subjects of Antitrust, Unfair Trade Practices, Trade Secrets, Confidentiality and Intellectual Property.

PROFESSIONAL ACTIVITIES

- North Carolina Bar Association
- American Bar Association; Antitrust Section, Litigation Section
- *The Best Lawyers in America* in the fields of Bet-the-Company Litigation, Commercial Litigation, Antitrust Litigation, Banking and Finance Litigation, Intellectual Property Litigation and Securities Litigation. In 2015, Press was named a *Best Lawyers* – “Lawyer of the Year” in Litigation – Securities.
- Listed as a North Carolina Super Lawyer, 2014 (Business Litigation)
- Senior Lecturing Fellow, Duke Law School

PRIOR LEGAL EXPERIENCE

- Associate, Sullivan & Cromwell, New York, NY, 1985-88, Summer Associate, 1984

PRESENTATIONS

- “Key Employees are Leaving: What Do I Do Now (and What Should I Have Done)?” CLE Symposium for South Carolina In-House Counsel; February 21, 2012
- “Using the Principles of Project Management to Improve Delivery of Legal Services,” Womble Carlyle CLE Symposium for Top North Carolina Legal Counsel; May 5, 2011

BAR ADMISSIONS

- 1988, North Carolina

Admitted to practice before:

- United States District Court for the Middle, Eastern and Western Districts of North Carolina
- United States Court of Appeals for the Fourth, Seventh and Eleventh Circuits
- United States Supreme Court

EDUCATION

- J.D., 1985 | Duke University of School of Law
 - With high honors
 - Order of the Coif
 - Note Editor, *Duke Law Review*
- A.B., 1982 | Yale University
 - *magna cum laude*

FIRM MANAGEMENT

- Chair, Client Development Committee, 2000-2007, 2009-present
- Member, Firm Management Committee, 2007-2009

- “Legal Quick Hit on Trade Secrets,” Association of Corporate Counsel; May 7, 2008
- “Why Do We Have a Business Court?” North Carolina Bar Association, Litigation Section, Greensboro, NC; May 4, 2007.
- “Company Secrets at Risk,” CLE Presentation, Cisco Systems, Research Triangle Park, NC; 10/26/06.
- “Large Law Firm Sales & Marketing: Ethical Issues, Real and Imagined,” Duke University School of Law; March 3, 2005.
- “When and Why Commercial Alliances Sour,” LRM Symposium on Pharma Law; May 3, 2004