

Caroline Mackie

PARTNER

t: 919.783.1108

Caroline concentrates her practice on complex commercial and governmental litigation.



OFFICE LOCATION

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JURISDICTIONS LICENSED

North Carolina, Supreme Court of the United States, US Court of Appeals for the Fourth Circuit

“I was drawn to the practice of law because I like to constantly learn. I couldn't imagine myself in a job where it wasn't important to discover something new every day. I appreciate a challenge.”

BIOGRAPHY

Caroline represents financial services institutions, governmental entities, and companies regarding a broad range of legal matters, including disputes involving commercial contracts, fraud, breach of fiduciary duty, and unfair and deceptive trade practices. She has represented companies and individuals in cases involving both tort and contractual liability, at the trial and appellate levels. She also has significant experience representing governmental entities in litigation in state and federal courts and in litigating constitutional voting-related and redistricting cases at the trial and appellate levels.

She routinely represents banks and other financial institutions in all types of litigation in state and federal courts. In this capacity, she defends lender liability claims while also handling all aspects of collection matters for banks. In addition, she regularly represents landlords in commercial lease disputes. Caroline also maintains an active pro bono practice.

AREAS OF FOCUS

LITIGATION

- *Eugene Dunston v. Wake County Sheriff Donnie Harrison, et al*; (United States District Court for the Eastern District of North Carolina, 2015) – After an eight day jury trial, a 12-member jury issued a complete defense verdict for the Sheriff of Wake County and three of his detention officers. Plaintiff, a detainee in the jail, claimed the officers used excessive force against him on three separate occasions and sued them for violating his Constitutional rights under 42 U.S.C. 1983. He also made claims for battery and negligence, and he made a claim against the Sheriff for negligent supervision. The case was hotly contested as to all issues and included an intermediate appeal to the United States Court of Appeals for the 4th Circuit to address the defense of qualified immunity for the defendants. At trial, both parties presented evidence by fact and expert witnesses. Video of the jail and the incidents was presented, which was closely analyzed by the jury. The plaintiff made a pre-trial settlement demand of \$225,000, but claimed to have over \$400,000 in attorney's fees, which can be awarded in 1983 cases. The trial court granted the officers a directed verdict as to the claims against them for negligence. After deliberating for five hours, the jury rendered a verdict absolving each defendant as to each of the remaining claims. The negligent supervision claim, which had been bifurcated, was dismissed by the trial judge. This was reportedly the first jury trial against Wake County or the Sheriff in over 20 years. Nick Ellis and Caroline were able to successfully defend these law enforcement officers in a time when their actions are being closely scrutinized by the public and the media.
- *Henry v. North Carolina Acupuncture Licensing Board* (United States District Court for the Middle District of North Carolina) – Caroline serves as counsel to the plaintiffs in this federal antitrust lawsuit brought by North Carolina physical therapists and their patients over access to dry needling, a type of physical therapy.

APPELLATE PRACTICE

- *Savage v. Zelent* (North Carolina Court of Appeals) – Caroline and litigation partner Dan Cahill successfully domesticated a Scottish judgment for their client, Mr. Savage. The case was appealed by the defendant to the Court of Appeals, which, in a case of first impression, decided an issue of statutory interpretation under the North Carolina Uniform Foreign-Country Money Judgments Recognition Act in favor of Mr. Savage.

FINANCIAL TRANSACTIONS LITIGATION

- Regularly represent lending institutions in collection actions in North Carolina, including obtaining ancillary relief through claim and delivery, attachment, and related proceedings.
- Represented bank in lender liability action asserting tort and contractual claims in Wake County,

North Carolina.

GOVERNMENT & CONSTITUTIONAL LITIGATION

- *Covington v. State of North Carolina* (United States District Court for the Middle District of North Carolina; United States Supreme Court); *Harris v. McCrory* (United States District Court for the Middle District of North Carolina; United States Supreme Court); *Dickson v. Rucho* (North Carolina Supreme Court; United States Supreme Court); *Common Cause v. Rucho* (United States District Court for the Middle District of North Carolina; United States Supreme Court); *Common Cause v. Lewis* (North Carolina Superior Court) – Caroline, along with partner Eddie Speas, served as counsel to the plaintiffs in these challenges to the legislative and congressional redistricting plans enacted by the General Assembly in 2011 (*Covington*, *Harris*, and *Dickson*), 2016 (*Rucho*), and 2017 (*Lewis*).

CREDENTIALS

EDUCATION

Wake Forest University School of Law, J.D., 2010

University of North Carolina, B.A., 2007

NOTABLE ACCOMPLISHMENTS

Ranked in *Business North Carolina* magazine's "Legal Elite" Young Guns category, 2015

Ranked among [Super Lawyers magazine's North Carolina "Rising Stars"](#) (Business Litigation), 2015, 2016, 2017-2018

2016 and 2017 [North Carolina Pro Bono Honor Society](#)

2018 [Benchmark Litigation](#) 40 & Under Hot List

Named [Defender of Democracy](#) by Common Cause, 2019

PROFESSIONAL & COMMUNITY ACTIVITIES

Meals on Wheels of Wake County board member

Legal Aid Lawyer-on-the-Line pro bono volunteer

Pro Bono Appellate Counsel, North Carolina Guardian ad Litem program

North Carolina Bar Association Young Lawyers Division

Federal Bar Association

Defense Research Institute

North Carolina Association of Defense Attorneys

Wake County Bar Association

Meals on Wheels Young Professionals, Co-Chair, 2012 – 2017