

Tom Davis

PARTNER

t: 919.783.2816

Tom Davis regularly represents owners, design professionals, and contractors on construction related issues and workplace safety.



OFFICE LOCATION

301 Fayetteville St., Suite 1900
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P.O. Box 1801
Raleigh, NC 27602

JURISDICTIONS LICENSED

North Carolina, US District Court for the Eastern District of NC, US District Court for the Middle District of NC, US District Court for the Western District of NC, US Court of Appeals for the Fourth Circuit, US Court of Appeals for the Eleventh Circuit

“I enjoy legal issues that have to be resolved before one can proceed to trial. I find that frequently success in a case is often determined before trial by understanding the use of these procedures.”

BIOGRAPHY

Tom has more than 30 years of experience in the litigation and arbitration of complex cases. He advises clients on legal matters including construction contract negotiation, claims analysis and presentation, labor and OSHA disputes, professional licensing disputes, and land condemnation.

Prior to joining Poyner Spruill, Tom served as Assistant Attorney General of the North Carolina Department of Justice, Highway Division.

AREAS OF FOCUS

CONSTRUCTION

Traylor Brothers Construction Company v. North Carolina Department of Transportation (Wake County Superior Court) (2002): obtained \$5.5 million settlement for client on a bridge construction project.

Royal Plus, Inc. v. FRS, Inc, et al (Mecklenburg Superior Court, 2013).

- Obtained \$500,000 settlement for plaintiff on a claim for breach of contract for restoration services.

OCCUPATIONAL HEALTH & SAFETY

Commission of Labor v. ABF Freight Systems, Inc. (Wake County Superior Court) (2002): successfully appealed an adverse OSHA administrative decision regarding loading procedures, creating savings to the client of \$1 million per year.

LITIGATION

Eckerd Youth Alternatives, Inc. v. North Carolina Department of Administration, Division of Purchase and Contract (2014).

- Successfully represented plaintiff in the Bid Protest of an award by Public Safety Purchasing and Logistics of a contract for youth care services.
- Successfully represented the Department as Special Counsel in an action to condemn property needed for the Western Wake Expressway.

North Carolina Department of Transportation v. Triangle Brick Co. (Wake County Superior Court) (2005): obtained \$3.2 million settlement for client in a condemnation action.

North Carolina Department of Transportation Turnpike Authority v. G. G. Kelly et ux, et al (Wake County Superior Court, 2010).

CREDENTIALS

CERTIFICATIONS & SPECIALIZATIONS

Certified Superior Court Mediator and District Court Arbitrator

EDUCATION

Wake Forest University, JD

North Carolina State University, BA, *with Honors in History*

NOTABLE ACCOMPLISHMENTS

Ranked among Law & Politics magazine's North Carolina "[Super Lawyers](#)," (Litigation) 2006 – 2008

Listed in Who's Who in American Law, 19th Edition

PROFESSIONAL & COMMUNITY ACTIVITIES

North Carolina Pro Bono Society

North Carolina Supreme Court Historical Society, President, Member Board of Trustees

Wake County Bar Association, Past President

10th Judicial District Bar Association, Past President

National conference of Bar Presidents, Inc.

Juvenile Diabetes Research Foundation, Member Board of Directors

Elder and Member of Session, White Memorial Presbyterian Church

SPEAKING & WRITING

Author, *Construction Law Settlement and Negotiation*, Aspatore Books, 2007

Author, *Construction Contracts with North Carolina Department of Transportation*, 2004

Contributing Editor, *North Carolina Administrative Law Guide*, Business Law Resources, Inc., 1996

Supplement Editor, *Construction Litigation: Strategies and Techniques*, Wiley Law Publishing, 1993