

Andrew P. Atkins

ATTORNEY

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OVERVIEW

Andrew Atkins is a seasoned construction attorney with significant experience in litigation and contracting. He also co-chairs the Real Estate Litigation practice at Smith Anderson. Andrew regularly represents owners, contractors and developers in multi-party disputes involving public and private commercial projects. He is also regularly involved in other commercial, contract and business-related disputes. Andrew has represented clients in some of the largest construction disputes in North Carolina including multi-million dollar claims related to the construction of state-owned psychiatric hospitals, a light rail system and public highways. He regularly counsels clients on risk management issues and claim development during construction. Andrew has significant experience in mediation, litigation, and arbitration and has been involved in projects across North Carolina, throughout the southeast, in Puerto Rico and in Eastern Europe. He has been involved in numerous cases with millions of documents produced in discovery and is able to assist clients in the development of strategies to efficiently process and produce large volumes of documents while minimizing discovery costs. Based on his experience, Andrew serves as the firm's eDiscovery Partner-In-Charge. Andrew also regularly represents clients before the various North Carolina construction-related licensing boards and counsels them on applicable laws and rules. In addition to his litigation practice, he also regularly assists clients with development and construction contracting matters including on complex projects such as public private partnerships.

Andrew is committed to public service. Most recently, he was appointed by Speaker Tim Moore to the North Carolina Rules Review Commission where he served as 1st Vice Chair. He was previously appointed by Chief Justice Mark Martin as a Reporter on the North Carolina Commission on the Administration of Law Justice. Andrew has also served in several roles within the North Carolina Bar Association and the American Bar Association's Forum on Construction Law.

Prior to joining Smith Anderson, Andrew served as a Judicial Law Clerk to Justice Mark Martin, Supreme Court of North Carolina. He also practiced at the Office of the Comptroller of the Currency, United States Department of the Treasury (OCC), where he often worked with national banks on regulatory matters affecting their business operations and pursued enforcement actions on behalf of the OCC. Andrew's previous experience has prepared him well to interact with government entities, as well as investigate and litigate matters on behalf of clients.

EXPERIENCE

- Represented a wireless network engineering and construction company in Federal court in relation to recovery of losses arising out of fire damage to a cellular service tower. Obtained summary judgment on

all claims for damages including recovery of attorneys' fees.

- Represented a North Carolina municipality in relation to multiple disputes arising out of the design and construction of the municipalities' sewer system. Obtained favorable settlements on claims from multiple parties.
- Represented a national engineering firm in relation to an arbitration regarding a force main failure in a residential neighborhood serving a military base.
- Represented clients before North Carolina Court of Appeals on a matter of first impression regarding the North Carolina Real Property Marketable Title Act, as well as the construction of restrictive covenants.
- On several occasions, represented a utility company in relation to allegations of personal injury.
- Represented multiple clients before the North Carolina Licensing Board for General Contractors and the North Carolina Board of Examiners for Engineers and Surveyors. Negotiated favorable outcomes in each instance, which avoided significant enforcement actions that would negatively impact business operations.
- Represented a national general contractor in relation to disputes arising out of the construction of two public health care facilities.
- Represented a design and construction firm in relation to disputes arising out of the construction of a glass factory in Kazakhstan, which resulted in a favorable award for an amount in excess of \$1 million.
- Represented an international general contractor in relation to disputes arising out of the construction of a light rail extension project with a construction value exceeding \$1 billion.

CREDENTIALS

Recognition

- *Best Lawyers: Ones to Watch*® in America
 - Litigation - Real Estate (2021-2024)
 - Construction Law (2022-2024)
 - Real Estate Law (2023-2024)
- Recipient, North Carolina Bar Association's Robinson O. Everett Professionalism Award (2022)
- Selected, North Carolina Bar Association's Leadership Academy, Class of 2018
- Selected, E.A. Morris Fellowship for Emerging Leaders, Class of 2016
- Institute Editor, *North Carolina Banking Institute Journal* (2010-2011)
- Recipient, *Chancellors' Scholarship*, University of North Carolina School of Law
- North Carolina *Super Lawyers*, Rising Star (2019-2023)
- North Carolina Pro Bono Honor Society

Education

- University of North Carolina School of Law, J.D., *with high honors*, 2011
 - *Order of the Coif*
 - Dean's List
 - University of North Carolina at Chapel Hill, B.A., Political Science (honors) and Economics, *with highest distinction*, 2008
 - Phi Beta Kappa
 - Dean's List
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Bar & Court Admissions

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