



William L. Rikard Jr.

Retired of Counsel

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t 704.335.9011



William Rikard has 40 years of experience focusing on complex civil litigation, including antitrust, unfair competition, intellectual property, business torts (particularly fraud, tortious interference, trade secrets and covenants not to compete), purchase price adjustments, commercial contracts and commercial product liability.

Mr. Rikard has tried numerous complex lawsuits in North Carolina and other federal and state courts, has appeared before the United States Court of Appeals for the Fourth Circuit, and is admitted to practice before the United States Supreme Court. He has represented numerous corporations and individuals in multiple large commercial lawsuits and arbitrations.

In addition, Mr. Rikard has lectured on substantive law related to antitrust, unfair competition, trade regulation, covenants not to compete, trade secrets and damages.

Mr. Rikard was a first lieutenant in the United States Army from 1970-1972.

REPRESENTATIVE EXPERIENCE

Unfair Competition/Trade Secrets/Business Torts:

- *Venture Group Enterprises, Inc. v. Ronnie Bice, et al.*, 08-CVS-3781 (N.C. Business Court, 2009); preliminary injunction enforcing agency agreement non-competition provision against signatories, co-conspirators and aiders and abettors.
- *Nucor Corp. v. John Bell and SeverCorr, L.L.C.* 2:06-CV-02972 (D.S.C., 2008); misappropriation of trade secrets and breach of fiduciary duty, various electronic discovery issues, including spoliation.
- *Sunbelt Rentals, Inc. v. Head & Engquist Equipment, L.L.C.*, 620 S.E.2d 222 (N.C. Court of Appeals, 2005); corporate raid, trade secret misappropriation, and stand-alone unfair competition under N.C.G.S. § 75-1.1.
- *Vanguard Furniture Company v. Apple, et al.*, Private Arbitration (2004); breach of fiduciary duty and punitive damages.



CHARLOTTE OFFICE



PRACTICE AREAS

Litigation
 Antitrust & Trade Regulation
 Intellectual Property Litigation
 Alternative Dispute Resolution (ADR)
 Class Action Defense



EDUCATION

Vanderbilt University
 JD, 1970
 Davidson College
 BA, 1967



ADMISSIONS

North Carolina, 1970



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- *Nucor Corporation v. Rodney Mott*, 3:02-CV-521 (W.D.N.C., 2003); unfair competition, violation of covenant not to compete, and trade secret misappropriation.

Executive Compensation:

- *Bobby E. McKinnon v. CV Industries, Inc.*, 09-CVS-830 (N.C. Business Court, 2010); breach of contract, fraud, and unfair trade practices arising out of a series of complex executive compensation agreements.
- *James Bruce Dressel v. Sunbelt Rentals, Inc.*, 05-CVS-4349 (N.C. Superior Court, 2006); jury verdict of no liability in action by former president for bonus compensation.

Acquisitions/Mergers:

- *Sunbelt Rentals, Inc. v. DMR Partners LP, et al.* (American Arbitration Association, 2011); arbitration regarding year-end tax computations and working capital adjustment.
- *John B. Dugdale v. Polymer Group, Inc., et al.*, 10-CVS-20527 (N.C. Business Court, 2010); breach of fiduciary duty class action regarding acquisition disclosures.
- *Harbinger Private Equity Fund I, Inc. v. Carousel Capital Partners II, L.P.*, 04-CVS-9700 (N.C. Business Court, 2005); purchase price adjustment dispute arising out of dispute over inventory accounting and warranty.

Antitrust:

- *In the Matter of Polypore International, Inc.*, Docket No. 9327 (Federal Trade Commission, 2010); trial before the Federal Trade Commission arising from acquisition of competitor.
- *Energy Alternatives, Inc. v. Tropitone Furniture Co., Inc.*, 06-CVS-8782 (N.C. Business Court, 2008); unfair competition action arising under N.C.G.S. § 75-1.1 regarding retail price maintenance policy.

Complex Civil:

- *In the Matter of the Estate of J. Daniel Severt*, 669 S.E. 2d 886 (N.C. Court of Appeals, 2008); fraud, fiduciary duty, administrator commissions and attorneys' fees in multimillion dollar estate.



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- *Ronnie Adcock v. Freightliner LLC*, 550 F.3d 369 (4th Cir. 2008), petition for cert. filed, 77 U.S.L.W. 3611 (U.S. April 21, 2009) (No. 08-1319); neutrality agreement and alleged criminal bribery in violation of Section 302 of the Labor Management Relations Act and the Racketeer Influenced and Corrupt Organizations Act.
- *Richard L. Coleman, et al. v. KPMG, LLP, et al.*, Private Arbitration (2005); arbitration regarding various tax and tax shelter issues.
- *Americal Corporation v. Grassi, Golden Lady, Sp A et al*, U.S. Dist Lexis 7189 (E.D.N.C., 2000); fraud and unfair competition arising out of misappropriated acquisition opportunity.

SPEAKING ENGAGEMENTS

- "All's Fair in Love & War? Hiring Competitors' Key Employees and Stealing Trade Secrets," All's Fair in Love & War? Hiring Competitors' Key Employees and Stealing Trade Secrets
- "Damages in Commercial Cases," Damages in Commercial Cases
- "Fair Competition: Probing the Outer Limits," Fair Competition: Probing the Outer Limits
- "Legal and Practical Implications of Electronic Discovery," Legal and Practical Implications of Electronic Discovery
- "Legal Perspectives: The Role of Lawyers in Our Community," Legal Perspectives: The Role of Lawyers in Our Community

HONORS

- *North Carolina Super Lawyers* in Business Litigation, 2006-2016, General Litigation and Appellate Law, 2006-2013
- *Business North Carolina's "Legal Elite"* in Litigation, 2005-2009; Antitrust Law, 2013-2015



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- *Benchmark Litigation*, Local Litigation Star – Antitrust, General Commercial, Intellectual Property, Product Liability, North Carolina, 2013-2016
- Woodward/White's *The Best Lawyers in America* in Commercial Litigation, 2006-2016; Antitrust Law, 2009-2016; Litigation – Antitrust, 2011-2016
- *Chambers USA: America's Leading Lawyers in Litigation: General Commercial*, 2004-2015
- Martindale-Hubbell AV® Preeminent™ in Litigation; Antitrust & Business Torts; Commercial Litigation; Intellectual Property Litigation; Alternative Dispute Resolution; Class Action Defense
- Davidson College John W. Kuykendall Community Service Award, 1998
- Patrick Wilson Merit Scholarship, Vanderbilt School of Law

MEMBERSHIPS

- Davidson College, Board of Trustees, 2006-present; Executive Committee, Athletic Policy Committee (Chairman), Presidential Search Committee
- Union Presbyterian Seminary, Board of Trustees, 2005-present; Chairman 2011-present
- Vanderbilt Law School, Member, National Council, 2002-2005
- Mecklenburg County Board of Education, Chairman, 1994-1995; Member, 1988-1995