



Daniel E. Peterson

Counsel

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t 704.335.9874



Daniel Peterson focuses his practice on defending professionals, local governments, and businesses in civil disputes. Daniel has experience representing clients in claims involving police liability, constitutional issues, wrongful death, personal and property damage, eminent domain, and professional negligence. Daniel also assists insurance companies on policy coverage determinations in a wide array of issues.

Prior to joining Parker Poe, Daniel served as an assistant city attorney in the Charlotte City Attorney's Office. He served as sole or lead defense attorney for the city on nearly 80 lawsuits in federal and state courts, on a variety of municipal issues, including appearances before the U.S. Court of Appeals for the Fourth Circuit and the N.C. Court of Appeals.

REPRESENTATIVE EXPERIENCE

- Obtained summary judgment in favor of a municipality in a challenge to an approved rezoning petition for a proposed mixed-use development. Successfully argued in the North Carolina Court of Appeals that the plaintiff lacked standing to file suit and that the appeal should be dismissed. *Cherry Community Org. v. City of Charlotte*, 2018 WL 708654 (N.C. App. 2018).
- Obtained summary judgment on all federal constitutional and state tort claims asserted against a municipality and police chief in a case involving an alleged unlawful search and seizure during an encounter with plaintiffs. *Barideaux v. City of Charlotte*, 2017 WL 2177977 (W.D.N.C., May 17, 2017).
- Obtained summary judgment in favor of a municipality on all claims brought by a former employee, including gender discrimination under Title VII, age discrimination under the ADEA, retaliation under both Title VII and the ADEA, and § 1983 violation of 14th Amendment rights. *Evans v. City of Charlotte*, 2016 WL 2637800 (W.D.N.C., May 9, 2016).
- Obtained summary judgment in favor of a municipality on all claims brought in a wrongful death action alleging that the police department's policies and procedures were constitutionally inadequate as it related to use of force and, specifically, electronic control devices. *Estate of Williams v. Forbes*, 3:12-CV-838-MOC-DSC (W.D.N.C., July 18, 2014).



CHARLOTTE OFFICE



PRACTICE AREAS

- Professional Negligence
- Defense
- Product Liability & Mass Tort
- Litigation
- Government & Public Policy



EDUCATION

- University of North Carolina at Chapel Hill
JD, 2010
- University of North Carolina at Chapel Hill
BA, 2007



ADMISSIONS

- North Carolina
- U.S. Court of Appeals for the Fourth Circuit
- U.S. District Court – Western District of North Carolina
- U.S. District Court – Middle District of North Carolina



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- Obtained judgment on behalf of a detective in an alleged wrongful conviction action claiming that the detective participated in a conspiracy to violate the plaintiff's constitutional rights. Successfully argued in the Fourth Circuit Court of Appeals that the resulting appeal taken by the plaintiff should be dismissed. *Massey v. Ojaniit*, 759 F.3d 343 (4th Cir. 2014).
- Obtained complete defense verdict on behalf of a police officer accused of using excessive force on the plaintiff in the course of an investigation into child abuse, summary judgment in favor of the supervising sergeant accused of condoning and failing to supervise the officer, and a pre-discovery dismissal in favor of the municipality alleged of failing to train the officer. *LaMarre v. Turner*, 12-CVS-19744 (Meck. Co. 2014).
- Obtained summary judgment on behalf of a police officer and a municipality in an action alleging that the officer used excessive force securing the perimeter in a drug raid. *Gillis v. City of Charlotte*, 2014 WL 1333988 (W.D.N.C., April 2, 2014).

PUBLICATIONS

- "The Eminent Domain Consequences of a U.S. Supreme Court Ruling," Law360, August 2019
- "The Intersection of Safety and Expression: Injunctive Relief in Crowd Control Measures," Municipal Lawyer, July 2019
- "Insurance Can Mitigate Costs of Government Investigations," Law360, August 2018
- "Injunctive Relief in Public Participation Litigation," N.C. Association of Municipal Attorneys, August 2017
- "Mass Demonstrations and Preliminary Injunctions: Rapidly Responding With Narrative and Case Law," International Municipal Lawyers Association, April 2017
- "Reasonable Mistakes: A Brief Overview of Qualified Immunity From Use of Force Claims Under § 1983," Mecklenburg County Bar, February 2015



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- "Balancing Act: Regulation of Expression by Cities in the 21st Century," Mecklenburg County Bar, February 2014

SPEAKING ENGAGEMENTS

- "For What It's Worth, Stop, Hey, What's That Sound: Injunctive Relief in Public Participation Litigation," N.C. Bar Association Constitutional Rights & Responsibilities and Government & Public Sector Annual Meetings, February 2019
- "Police Excessive Force Trials Post-Ferguson: What's Different and What's Not," International Municipal Lawyers Association, Mid-Year Seminar, April 2018
- "Panel Discussion on Governmental Immunity," N.C. Association of Defense Attorneys, September 2017

HONORS

- *North Carolina Super Lawyers* Rising Star, 2019-2020
- North Carolina Pro Bono Honor Society, 2019
- Mecklenburg County Bar Leadership Institute, Class of 2015

MEMBERSHIPS

- North Carolina Association of Defense Attorneys, Government Practice Group, Vice Chair, 2019-2020
- Mecklenburg County Bar, Litigation Section, Chair, 2014-2015, Vice-Chair, 2013-2014
- North Carolina Bar Association
- American Bar Association
- Defense Research Institute



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