



PAMELA L. FERRELL

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Pamela is a member of our Products, Catastrophic and Industrial Litigation Group. She focuses her practice on Product Liability, Pharmaceutical & Medical Device, Insurance, and Commercial Litigation.

PRACTICE AREAS AND INDUSTRY TEAMS

- Products, Catastrophic & Industrial Litigation
- Tort, Transportation & Specialized Litigation
- Commercial Litigation
- Insurance
- Toxic Torts, Asbestos and Silica Litigation
- Pharmaceutical, Medical Device and Healthcare

EXPERIENCE

- Ms. Ferrell has represented clients in state and federal court on a broad range of complex civil litigation, including product liability litigation, commercial litigation, extra-contractual litigation, complex fire, explosion, and premises liability disputes, toxic torts, personal injury, insurance coverage and construction defect cases. She has experience in all phases of complex litigation in both state and federal court.

Representative Cases

- Obtained dismissal of case at summary judgment for highway products manufacturer on Plaintiff's claims for defective design, defective manufacturing, and failure to warn based on 10-year statute of repose, no duty to warn of an unknown defect, no duty to warn the general public, and no duty to warn sophisticated users (GDOT). *Thomas v. Trinity Industries, Inc., et al.*, United States District Court for the Northern District of Georgia (2020).
- Defended pharmaceutical and medical device manufacturer in multidistrict litigation related to pelvic mesh. (2019-Present).
- The North Carolina Court of Appeals affirmed dismissal of lawsuit on a motion to dismiss by taking judicial notice of evidence that defeated the plaintiff's claims. *Brinkley v. Britthaven, Inc.*, No. COA18-400 (N.C. Ct. App. Mar. 19, 2019).
- Obtained summary judgment for highway products manufacturer on Plaintiff's claims for defective design, defective manufacturing and failure to warn. *Davis v. Trinity Industries, Inc., et al.*, Fulton County State Court (Georgia 2018).

- Successfully argued a motion for partial summary judgment on Plaintiff's claims against an insurance company for bad faith and unfair and deceptive trade practices. *McAdoo v. State Farm Mutual Automobile Insurance Company*, Wake County Superior Court (2018).
- Successfully argued a motion for partial summary judgment on Plaintiff's claims against a long-term care facility for assault, battery, *res ipsa loquitur*, medical malpractice, corporate negligence, administrative and corporate medical malpractice, negligent retention, and punitive damages. Defended the long-term care facility in a month-long trial on the remaining negligence claim. *Marks v. Maple LTC Group, LLC*, Onslow County Superior Court (2018).
- Obtained partial summary judgment on a case against an insurance company alleging claims for unfair claims settlement practices, unfair and deceptive trade practices, bad faith, and mental and emotional distress. *Majstorovic v. State Farm Fire and Casualty Company*, United States District Court for the Eastern District of North Carolina (2018).
- Defended a school system in a case asserting claims for negligence, alleged violations of 42 U.S.C. § 1983, and an alleged violation of the North Carolina Constitution art. I, § 19. Plaintiff voluntarily dismissed the case following the motion to dismiss. *Abdolvand v. Cumberland County Schools*, United States District Court for the Eastern District of North Carolina (2017).
- Successfully argued a motion to dismiss Plaintiff's claim for unfair and deceptive trade practices claim. *Gomes v. Gallagher Bassett Services, Inc.*, New Hanover County Superior Court (2017).
- Successfully defended a life insurance company in a breach of contract and unfair and deceptive trade practices case. The court granted Defendant's motion for judgment on the pleadings. *Davis v. State Farm Life Insurance Company*, United States District Court for the Eastern District of North Carolina (2016).
- Obtained summary judgment on a case against a property owner alleging violations of the Fair Housing Act, constructive eviction, and unfair and deceptive trade practices arising out of alleged mold remediation. Plaintiff then appealed to the United States Court of Appeals for the Fourth Circuit, which affirmed the trial court's decision. *Barbara Armstrong v. Yopp Properties, LLC*, United States District Court for the Eastern District of North Carolina (2015).
- Defended an insurance company in a breach of contract, negligence and bad faith case. The court granted Defendant's motion to dismiss the claims for negligence and bad faith. *Huang v. State Farm Fire and Casualty Company*, United States District Court for the Eastern District of North Carolina (2015).
- Successfully argued a motion for summary judgment on Plaintiff's claims against an insurance company for breach of contract and unfair and deceptive trade practices. *Cortes v. State Farm Mutual Automobile Insurance Company*, Rockingham County Superior Court (2015).

- Successfully defended an insurance company in a breach of contract, bad faith, and unfair and deceptive trade practices case. The court granted Defendant's motion for judgment on the pleadings and dismissed the case. *Hughes v. State Farm Mutual Automobile Insurance Company*, Wake County Superior Court (2014).

BAR ADMISSIONS

- North Carolina, 2012
- Georgia, 2018
- U.S. District Courts
 - North Carolina: Eastern, Western and Middle
 - Georgia: Northern, Middle and Southern
- U.S. Court of Appeals
 - 11th Circuit
- Georgia Supreme Court
- Georgia Court of Appeals

DISTINCTIONS

- *Best Lawyers in America*®
 - Ones to Watch, Commercial Litigation, 2021
 - Ones to Watch, Insurance Law, 2021
 - Ones to Watch, Product Liability Litigation - Defendants, 2021
- Clerk, Honorable Judge James L. Gale, North Carolina Business Court

ASSOCIATIONS

- New Hanover County Bar Association
- Georgia Defense Lawyers Association
- Defense Research Institute (DRI)

EDUCATION & HONORS

- Elon University, J.D., *summa cum laude*, 2012
 - Phi Kappa Phi Honor Society
 - Order of the Barristers
 - Moot Court Board, Leroy R. Hassell, Sr. National Constitutional Law Moot Court Competition: Best Brief, Top 5 Oralist
 - Research Triangle Area Corporate Counsel Scholarship Recipient
- University of North Carolina in Wilmington, B.A., Political Science, 2009
 - James E.L. Wade Scholarship Recipient
 - Pi Sigma Alpha