



# Allen C. Smith

## Partner

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### PRACTICES

Civil Litigation  
Construction Law  
Insurance Law  
Mass Tort Litigation  
Products Liability Litigation  
Trucking and  
Transportation Law  
Retail, Restaurant,  
and Hospitality  
Public Entities and  
Municipalities Litigation

### EDUCATION

J.D., University of North  
Carolina at Chapel Hill  
(with honors), 1992

B.A., Davidson College, 1988

### BAR AND COURT ADMISSIONS

North Carolina State Bar

U.S. Court of Appeals,  
Fourth Circuit

U.S. District Courts, Eastern,  
Middle, and Western  
Districts of North Carolina

Allen, a partner in the firm's Charlotte office, joined Hedrick Gardner in 1992 after graduating from the University of North Carolina School of Law with honors. He is chair of the firm's Trucking and Transportation Practice Group and chair of the Civil Litigation Practice and devotes much of his time to defending serious personal injury and wrongful death claims associated with truck accidents and other motor vehicle negligence. Allen also defends products liability, construction defect, and premises liability claims. His client list includes insurance companies, Fortune 500 companies, motor carriers, retailers, contractors, and manufacturers.

Allen has tried more than 90 jury trials to verdict, serving as lead counsel in over 75. His trial experience includes cases involving motor vehicle negligence, premises liability, products liability, and business disputes. He has tried and arbitrated first-party claims on behalf of insurers. Allen has also argued before the North Carolina Court of Appeals, North Carolina Supreme Court, and U.S. Court of Appeals (Fourth Circuit).

Allen has an AV rating from Martindale-Hubbell and was selected by his peers for inclusion in The Best Lawyers in America® in the field of Personal Injury Litigation – Defendants from 2013 through 2023. He has also been selected to the North Carolina Super Lawyers® list (Personal Injury – General: Defense), published nationwide in Super Lawyers Magazines, from 2012 – 2019, and been selected to the North Carolina Lawyers Weekly Power List for Personal Injury, 2021 and Leader in the Law, 2022.

Allen is a past president and board member the North Carolina Association of Defense Attorneys, and former member of the International Association of Defense Counsel, Transportation Lawyers Association, and DRI (Lawyers Representing Business)™.

While attending UNC School of Law, Allen qualified for the Dean's List all six semesters and served as a staff

member of the North Carolina Journal of International Law and Commercial Regulation. He was also a member of the Phi Delta Phi legal fraternity.

Outside of work, Allen enjoys playing golf, reading thrillers, running, studying history, and live music.

## **REPRESENTATIVE MATTERS**

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*Cases or matters referenced are for illustrative purposes only, and do not represent the lawyer's or law firm's entire record. Each case is unique and must be evaluated on its own merits. The outcome of a particular case cannot be predicted based upon a lawyer's or law firm's past results. Prior results do not guarantee a similar outcome.*

### **Trucking**

- Lead counsel for motor carrier and estate of tractor trailer driver in motor vehicle collision involving three tractor trailers and three passenger vehicles. Accident resulted in four fatalities and four personal injuries.
- Lead counsel for motor carrier and tractor trailer driver in wrongful death lawsuit that arose after defendant driver without a valid Medical Examiner's Certificate allegedly ran a stop sign.
- Lead counsel for motor carrier and tractor trailer driver in wrongful death lawsuit that arose after defendant driver collided with disabled tractor-trailer blocking both lanes of travel at night for defendant driver's direction on a highway divided by a grass median.

### **Motor Vehicle Negligence**

- Lead counsel in rear end collision between Defendant operating a pickup truck pulling a trailer with landscaping equipment and Plaintiffs in a Jeep stopped for traffic. Plaintiff father/husband and Plaintiff daughter claimed post-concussive syndrome. Plaintiff wife pursued claim for loss of consortium. Defendant driver and Defendant employer admitted negligence but denied causation between accident and alleged injuries. Plaintiffs asked jury for an award in excess of \$500,000. Jury answered Issues 1 and 2 ("Was Plaintiff injured by the negligence of Defendant?") in favor of Defendants with a "no."

### **Products**

- Co-lead counsel for manufacturer of mobile (manufactured) home in lawsuit that arose after a fire. Home had 12 occupants. Case included 7 claims for wrongful death and 3 claims for traumatic brain injury and smoke inhalation injuries by minors.
- Lead counsel for distributor of light bulbs for use with aquariums in lawsuit following home fire.
- Lead counsel for distributor of plastic pipe in lawsuit by homeowner for water damage after pipe

failure.

- Lead counsel for distributor of valves for fire sprinkler system for water damage following leak in a gymnasium.
- Lead counsel for manufacturer of service saddles (or taps) for water lines in lawsuit filed by residential real estate developer after parts of service saddles corroded, allowing leaks to develop in the water line.

### **Construction**

- Lead counsel for distributor of windows in lawsuit filed by beachfront condominium owners association and individual owners for water damage.
- Lead counsel for distributor of valves for fire sprinkler system for water damage following leak in a gymnasium.
- Lead counsel for electrical contractor in lawsuits filed following utility cables being cut during underground installations of electrical lines.
- Lead counsel for utility company in lawsuit filed by employee of electrical contractor shocked during repair of transformer and underground cable.
- Lead counsel for distributor of plastic pipe in lawsuit by homeowner for water damage after pipe failure.
- Lead counsel for manufacturer of service saddles (or taps) for water lines in lawsuit filed by residential real estate developer after parts of service saddles corroded, allowing leaks to develop in the water line.

### **Retail, Restaurant, and Hospitality**

- Obtained summary judgment for a national retailer in a slip and fall case by proving to court that the plaintiff could not establish the existence of a dangerous condition.
- Represented national restaurant chain in claims involving adulterated food.

### **HONORS**

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- Holds an AV rating with Martindale-Hubbell
- Selected by peers for inclusion in *The Best Lawyers in America*® in the field of Personal Injury Litigation – Defendants from 2013 through 2023
- Selected to the *North Carolina Super Lawyers*® list (Personal Injury – General: Defense), published nationwide in Super Lawyers Magazine, from 2012 through 2019
- Selected to the *North Carolina Lawyers Weekly* Power List for Personal Injury, 2021
- Selected as a *North Carolina Lawyers Weekly* Leader in the Law, 2022

## PROFESSIONAL AND CIVIC INVOLVEMENT

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- North Carolina State Bar
- International Association of Defense Counsel
  - » *Member, Construction Law Committee*
  - » *Member, Products Liability Committee*
  - » *Member, Transportation Law Committee*
- North Carolina Association of Defense Attorneys
  - » *President (2020-2021)*
  - » *Officer on Executive Committee (2016-2022)*
  - » *Member, Board of Directors (2013-2016)*
  - » *Chair, General Liability Practice Group (2011-2013)*
- Defense Research Institute
  - » *Member, Construction Law Committee*
  - » *Member, Products Liability Committee*
  - » *Member, Trucking Law Committee*
- Transportation Lawyers Association
- Mecklenburg County Bar Association
  - » *Previously served 2 three-year terms on Fee Dispute Resolution Committee*
- Dowd YMCA
  - » *Coach, Youth Basketball Camp (2007-2014)*
- Myers Park Presbyterian Church
  - » *Deacon (2020-present)*
  - » *Usher Captain (2008-present)*
  - » *High School Sunday School Teacher (2010-2014)*
  - » *Taught youth Sunday school classes for nine years and coached youth basketball for two seasons*
- Wells Fargo Championship (PGA Tour event)
  - » *Volunteer (2003-2012)*
- Charlotte Museum of History
  - » *Member, Board of Trustees (2008-2011)*