

Gerald A. Stein, II

Partner

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PRACTICES

Mass Tort Litigation

Civil Litigation

Long Term Care Practice

Trucking and

Transportation Law

Products Liability Litigation

EDUCATION

J.D., Stetson University, 2006

M.B.A., University of
South Carolina, 1999

B.A., University of South
Carolina, 1992

BAR AND COURT

ADMISSIONS

North Carolina State Bar

South Carolina State Bar

Florida State Bar (inactive)

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

Andy Stein is a civil litigator and seasoned trial attorney in Hedrick Gardner's Charlotte office. During his tenure, he has defended companies and individuals in many diverse matters including asbestos exposure, long-term care, motor vehicle and trucking accidents, products liability, and catastrophic injury cases. Andy is licensed to practice in both North and South Carolina, and has tried cases to jury verdict in North Carolina Superior and District courts, Federal District Court, and argued before the North Carolina Court of Appeals.

Andy takes a great pride in representing his clients through the legal process. "When a client has been sued they are worried, anxious, and in some cases feel like their life has been turned upside down," he says. "I give my clients a voice, and my best memories in this business are simply receiving a hug of gratitude from clients after resolving their case at mediation or obtaining a successful trial result."

Prior to becoming a lawyer, Andy earned his Bachelor's Degree and MBA from the University of South Carolina and worked as a sales representative with a supply chain automation software company. He attended law school at Stetson University's College of Law in St. Petersburg, Florida. After completing law school he settled in Charlotte and has practiced with Hedrick Gardner since 2007.

Andy is a member of the North Carolina State Bar, South Carolina State Bar, the North Carolina Association of Defense Attorneys, and the Defense Research Institute. Since 2007 he has served as a pro bono attorney for the Council for Children's Rights and was identified by *Super Lawyers Magazine*®, as a North Carolina Rising

PROFESSIONAL AND CIVIC INVOLVEMENT

North Carolina State Bar

South Carolina State Bar

Florida State Bar (inactive)

North Carolina Association of Defense Attorneys

Defense Research Institute

Council for Children's Rights; Pro Bono Attorney (2007-present)

HONORS

Selected to the North Carolina Rising Stars list, published nationwide in Super Lawyers®, Magazine, 2013-2017

Selected for inclusion in The Best Lawyers in America© 2021-2023 in the field of Personal Injury Litigation – Defendants

Star attorney in 2013, 2014, 2015, 2016, and 2017. He has been selected by his peers for inclusion in *The Best Lawyers in America*® in the field of Personal Injury Litigation - Defendants for 2021-2023.

Outside of work, Andy enjoys hiking in the Blue Ridge Mountains, DIY home renovations, and woodworking projects. "If I were not a lawyer I would probably be working as a carpenter or cabinet maker," he said. Andy also enjoys time practicing Taekwondo with his son Stephen.

REPRESENTATIVE MATTERS

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.

- Successful at winning jury verdict for Defendant. Short bed tractor-trailer vs. car accident. The Plaintiff alleged that the Defendant, Truck Driver, crossed the center line and drove over the front left quarter panel and hood of her car. The jury returned a defense verdict after the defense was able to show that the Plaintiff crossed the center line and actually caused the accident.
- Successful at winning jury verdict for Defendant. The Plaintiff was injured in an automobile accident in a section of highway that was undergoing substantial road construction. The Plaintiff alleged the Defendant, Construction Company, caused the accident by failing to use reasonable steps to control traffic, and in fact waiving the Plaintiff into oncoming traffic. The jury deliberated for approximately 20 minutes and returned a verdict in favor of the Defendant.
- Successful at winning summary judgment for Defendant. Plaintiffs filed a derivative action lawsuit alleging the Defendant, HOA and Directors, breached their fiduciary duties to the property association members by diverting money away from the association funds and failing to complete construction of various amenities within the community. On the morning of trial the judge first entertained arguments for summary judgment. The judge ultimately granted summary judgment and dismissed the case without the need for a lengthy trial.

- Successful at winning summary judgment for Defendant. The Plaintiff filed a wrongful death lawsuit arising from the decedent drowning in a community association swimming pool. The Plaintiff alleged that the pool was a dangerous condition and the Community Association failed to provide reasonable safety measures to protect the safety of the swimmers. The matter was argued in the United States Federal District Court, and the judge granted summary judgment in favor of the Defendant.
- Successful at winning summary judgment for Defendant. The Plaintiff's injuries occurred in an accident where a tractor pinned him against other construction equipment. The Plaintiff alleged defective product design and failure to install proper safety devices on the tractor. The judge granted summary judgment after hearing arguments that the Defendant installed all safety measures available for the tractor.
- Successful at winning summary judgment for Defendant. Plaintiff alleged significant personal injury as a result of a fall caused by a defective speed bump in shopping center parking lot. Defendants were granted summary judgment after arguing there was no defect as alleged, and the speed bump was an open and obvious condition.
- Plaintiff dismisses case on the eve of trial. The case involved a construction accident arising from the collapse of the building's structural frame. On the morning of trial the Plaintiff dismissed the case when it became apparent their witnesses could not articulate any engineering theory that would explain alleged defects in the construction.
- Represented Assisted Living Community in trial. The Plaintiff filed a wrongful death lawsuit alleging the Defendant failed to assess the decedent for being a risk of falls and implementing a proper care plan to prevent falls. The case was defended on the basis that the Defendant complied with all standards of care for assessment and prevention of falls. The case proceeded to trial for one week, and the Plaintiff agreed to a settlement after their case in chief closed but before arguments on directed verdict.
- Represented Memory Care Unit of Assisted Living Community. The Plaintiff filed a wrongful death lawsuit alleging negligence in providing care and treatment for pressure sores. The case was defended on the basis that the client complied with all proper standards and procedures for providing care, and on the basis that the Plaintiff died for other medical reasons not related to the skin breakdown. The week before trial was scheduled to start the Plaintiff substantially reduced her demand for settlement, and the case settled without the need for additional litigation.
- Represented manufacturer of automated material handling equipment. Case involved complex electrical and laser engineering principals as they were used in automated warehouse and inventory management systems. Plaintiff alleged she was injured as a result of defective design to automated material handling system. After extensive litigation the case was settled on the eve of trial when the Plaintiff drastically reduced her demand.