



# Austin R. Walsh

## Partner

OFFICE Charlotte, NC  
PHONE (704) 602-8010  
FAX (704) 602-8058  
EMAIL [awalsh@hedrickgardner.com](mailto:awalsh@hedrickgardner.com)

[www.HedrickGardner.com](http://www.HedrickGardner.com)

### **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., Wake Forest  
University, 2012  
B.A. History, B.A. Economics;  
Auburn University (magna  
cum laude), 2007

### **BAR & COURT ADMISSIONS**

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

Austin Walsh is an experienced and trusted trial attorney, who provides accurate, concise counsel to solve your legal challenges.

“It is important that my clients know they can trust me. I work with them to not only deliver strong, cost-effective legal counsel, but to build relationships based on respect and a clear understanding of their challenges.”

Austin concentrates his practice on commercial litigation and complex liability disputes with an emphasis on catastrophic personal injury, commercial trucking, construction, product liability, commercial and residential real estate, and insurance coverage matters. He has successfully represented a broad range of clients from small business owners to Fortune 500 companies. Austin has developed an expertise in the Federal Motor Carrier Safety Regulations as well as insurance coverage of uninsured and underinsured motorist claims and has contributed to publications in both areas.

Austin is a proud 7th generation Texan who has grown to love the Carolinas, which he has called home since 2007. He and his wife have four children and are loyal Auburn football (and now basketball) fans and parishioners of St. Ann’s Catholic Church.

## PROFESSIONAL AND CIVIC INVOLVEMENT

North Carolina State Bar

North Carolina Association of Defense Attorneys

St. Ann's Catholic Church

Holy Angels Belmont

Council for Children's Rights Volunteer Attorney

## HONORS

Super Lawyers® North Carolina – Rising Star – Civil Litigation: Defense (2018-2023)

Business North Carolina's Legal Elite – Young Guns (2021)

Wake Forest Journal of Business and Intellectual Property Law, Senior Notes and Comments Editor (2011-2012)

Billings, Exum & Frye National Moot Court Competition: Second Best Brief (2011)

George K. Walker Moot Court Competition: Finalist (2010)

Extern for the Honorable Sanford L. Steelman, North Carolina Court of Appeals (2010)

Teach For America (2007 – 2009)

Algernon Sydney Sullivan Award, Auburn University (2007)

## PUBLICATIONS

- "N.C. Farm Bureau v. Dana: Bringing Common Sense Back to Underinsured Motorist Law," The Resource, North Carolina Association of Defense Attorneys (Feb. 2022).
- "The Argument for Applying North Carolina Rule of Evidence 414 in Federal Court," The Resource, North Carolina Association of Defense Attorneys (Feb. 2021).
- "Sykes v. Vixamar and Progressive Univ. Ins. Co.: A Discovery Bar or Discovery Strategy?" The Resource, North Carolina Association of Defense Attorneys (Feb. 2020).

## REPRESENTATIVE MATTERS

- Obtained summary judgment on the issue of negligence in a case where co-defendant crossed the center line and struck plaintiff head-on, causing a second impact between plaintiff and the client-defendant. (2022)
- Obtained summary judgment for a large farm equipment dealer against plaintiff's UCC Article 2A Finance Lease claims for breach of express and implied warranties in which plaintiff had demanded \$2.5 million. (2022)
- Aggressively investigated fraudulent slip and fall claim against restaurant franchisee that resulted in dismissal of plaintiff's lawsuit. Plaintiff alleged a fall that was not reported until hours later but was corroborated by her husband and text messages purportedly between plaintiff and the restaurant's manager that admitted responsibility for plaintiff's injury. An investigation into the texts revealed use of phantom telephone numbers. Through depositions of a Silicon Valley company and interstate subpoenas to Google, the defense was able to show that plaintiff leased a cellular number to pose as the restaurant manager and to support her fraudulent claim. (2021)
- Negotiated a \$295,000 settlement for a large home improvement company pursuing subrogation of a product liability claim resulting in a traumatic brain injury. (2020)
- Obtained summary judgment in slip and fall case against restaurant franchisee. (2019)
- Obtained summary judgment of negligent entrustment claims for client who rented a vehicle for his daughter's use and was sued when his daughter's boyfriend crashed into the plaintiff while engaged in illicit drug use. (2017)
- Odina Wesley, et al. v. Winston-Salem/Forsyth County Board of Education, et al., 247 N.C. App. 248 (2016). Plaintiff brought claims against a school board for negligence, including negligent hiring and retention of a bus driver related to a fatal auto-pedestrian accident. Defendant's motion to dismiss was denied by the trial court. Successfully represented the school board on the appeal, with the North Carolina Court of Appeals reversing the trial court's ruling and dismissing plaintiff's claims.

- 1-week jury trial of an admitted liability motor vehicle negligence case in which plaintiff claimed permanent injury and six-figure loss of earning capacity. The jury awarded the amount requested by the defense, \$10,000. (2015)
- 1-week jury trial of a motor vehicle negligence case in which Plaintiff claimed five-figures of medical expenses and permanent injury. The jury awarded the amount requested by the defense, \$8,000. (2015)
- Achieved a defense verdict after a 3-day trial in a case of admitted liability of a low-speed motor vehicle accident. (2015)
- Obtained summary judgment in negligence case for large restaurant group, with operations across the southeast, and successfully defendant notice of appeal. (2014)