

Mel J. Garofalo

Partner

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PRACTICES

Civil Litigation

Commercial Litigation

Mass Tort Litigation

Pharmaceutical and
Medical Device Litigation

Products Liability Litigation

EDUCATION

J.D., Wake Forest
University, 1978

B.A., University of
Dayton, 1975



Mel Garofalo credits his success as a lawyer to the personal and professional relationships he has established over the course of his 44-year career, and he values those relationships more than anything. “The ability to treat people with respect, to relate to them on a personal level, and to communicate honestly and clearly is at the heart of how I have tried to live my life both on a personal and professional level,” he says.

Mel served as Hedrick Gardner’s managing partner from 1993 until 2015, and under his leadership, the firm grew from 2 offices with a total of 35 attorneys to 4 offices in two states with approximately 90 attorneys. He takes great pride in having mentored many of the firm’s younger attorneys over the years who have progressed and become partners in the firm.

Since 1978, Mel has tried more than 100 jury trials to verdict in both state and federal court and has handled over 40 appeals before the North Carolina Supreme Court, the North Carolina Court of Appeals and the United States Fourth Circuit Court of Appeals.

Through his years of practice, Mel has handled a wide variety of complex civil litigation, including large, multi-party product liability actions, complex fire and explosion cases, drug and medical device litigation, premises liability and security litigation, liquor liability litigation as well as wrongful death and catastrophic personal injury litigation.



HONORS

Recipient of the North Carolina Association of Defense Attorneys J. Robert Elster Award, 2022

Elected in the Federation of Defense and Corporate Counsel in 2012

Recognized by *Best Lawyers*® from 2010-2023 for Personal Injury Litigation and Products Liability Litigation - Defendants

Selected for the *Best Lawyers*® Personal Injury – Defendants “Lawyer of the Year” in Charlotte in 2012, 2015, and 2023

Selected as a *North Carolina Lawyers Weekly* Leader in the Law in 2012

Named the *Best Lawyers*® Product Liability Litigation – Defendants “Lawyer of the Year” in Charlotte in 2014, 2016, 2018, and 2020

Selected to the *North Carolina Super Lawyers*® list for Civil Litigation from 2006-2024

Included in the Charlotte Top 25 List in 2015

Included in the North Carolina Top 100 List for 2015, 2016, and 2019

Recognized by Business North Carolina magazine as a North Carolina *Legal Elite* in 2011, 2013, and 2014

Maintains an AV rating with Martindale-Hubbell

Received DRI's Exceptional Performance Citation in 2006

Mel is a member of the Federation of Defense and Corporate Counsel (FDCC), an invitation-only organization consisting of accomplished defense attorneys, corporate counsel, and insurance industry executives who have achieved professional distinction during their careers. He currently serves as a Vice-Chair of the Admissions Committee. In 2012, 2015, and 2023, Best Lawyers named him the Charlotte Personal Injury Litigation Defendants' Lawyer of the Year. In 2014, 2016, 2018, and 2020, Best Lawyers named him the Lawyer of the Year in Product Liability Litigation in Charlotte.

Long active in the North Carolina Association of Defense Attorneys (NCADA), Mel served on the organization's board of directors and as president in 2005-2006. In June of 2023 the NCADA presented him with its J. Robert Elster Award for Professional Excellence. He chaired the North Carolina Defense Fund from 2007-2009 and participated on the North Carolina Equal Access to Justice Commission from 2006-2007.

Mel and his wife of over 43 years have two adult children and three energetic grandsons. While not spending quality time with his family, Mel enjoys traveling, listening to music, golf and trying to exercise. He is an avid sports fan, cheering on the Carolina Panthers, Charlotte Hornets and, above all else, the New York Yankees.

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.

- Successfully defended a private North Carolina University and its Director of Security in a wrongful death case involving alleged hazing and obtained a dismissal with prejudice pursuant to Rule 12(b)(6) on behalf of both clients. The dismissal was affirmed by the NC Court of Appeals and Discretionary Review was denied by the NC Supreme Court.
- Successfully defended a manufacturer of a pulse oximeter against allegations of product defect in a wrongful death case resulting in a favorable settlement for the client.

BAR & COURT ADMISSIONS

North Carolina State Bar

U.S. Supreme Court

U.S. Court of Appeals,
Fourth Circuit

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

- Successfully defended a retail department store in a case involving an alleged brain injury in a child who was alleged to have been struck in the head by a piece of shelving. The case settled prior to jury selection for less than 6% of the original demand to settle the case.
- Successfully defended a large motion control and automation manufacturer in two of the largest civil law suits ever filed in North Carolina, involving catastrophic explosions at the West Pharmaceutical and ConAgra manufacturing plants. Both cases involved multiple wrongful death and catastrophic injury claims. In each case was able to establish that there was no viable theory of liability against the client, resulting in very nominal settlements in both cases.

PROFESSIONAL AND CIVIC INVOLVEMENT

- North Carolina Bar Association
- North Carolina Association of Defense Attorneys
 - » *Immediate Past President (2006-2007)*
 - » *President (2005-2006)*
 - » *President-Elect (2004-2005)*
 - » *Executive Vice President (2003-2004)*
 - » *Secretary (2001-2002)*
 - » *Member, Board of Directors (1998-2001)*
- North Carolina Defense Fund
 - » *Chair (2007-2009)*
- Mecklenburg County Bar Association
- Defense Research Institute
- Federation of Defense & Corporate Counsel
- Claims and Litigation Management Alliance (CLM)