



Daniel E. Peterson

Counsel

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t 704.335.9874



Daniel Peterson focuses on local government counsel, professional negligence, and insurance disputes.

Daniel helps local governments achieve their public policy objectives. He has experience analyzing potential constitutional issues, tailoring policy recommendations, and resolving disputes for cities and towns. He has advised on a range of discrete constitutional issues, including policing litigation and policies, public purpose and emolument issues in economic development, and public participation ordinances.

Daniel also defends professionals and businesses against claims of negligence, wrongful death, and personal and property damage. He has defended professionals and businesses in the insurance and real estate industries.

In addition, Daniel advises insurance companies on policy coverage determinations and defends them in litigation. He has advised and defended international and domestic insurers in various coverage issues.

Prior to joining Parker Poe, Daniel served as an assistant city attorney in the Charlotte City Attorney's Office. He served as sole or lead defense attorney for the city on nearly 80 lawsuits in federal and state courts, on a variety of municipal issues, including appearances before the U.S. Court of Appeals for the Fourth Circuit and the N.C. Court of Appeals.

REPRESENTATIVE EXPERIENCE

- Obtained summary judgment in favor of a municipality in a challenge to an approved rezoning petition for a proposed mixed-use development. Successfully argued in the North Carolina Court of Appeals that the plaintiff lacked standing to file suit and that the appeal should be dismissed. *Cherry Community Org. v. City of Charlotte*, 2018 WL 708654 (N.C. App. 2018).
- Obtained summary judgment on all federal constitutional and state tort claims asserted against a municipality and police chief in a case involving an alleged unlawful search and seizure during an encounter with plaintiffs. *Barideaux v. City of Charlotte*, 2017 WL 2177977 (W.D.N.C., May 17, 2017).
- Obtained summary judgment in favor of a municipality on all claims brought by a former employee, including gender discrimination under Title VII, age discrimination under the ADEA, retaliation under both Title VII and the ADEA, and § 1983 violation of 14th Amendment rights. *Evans v. City of Charlotte*, 2016 WL 2637800 (W.D.N.C., May 9, 2016).



CHARLOTTE OFFICE



PRACTICE AREAS

Professional Negligence
Defense
Product Liability & Mass
Tort
Litigation
Government & Public
Policy



EDUCATION

University of North Carolina
at Chapel Hill
JD, 2010
University of North Carolina
at Chapel Hill
BA, 2007



ADMISSIONS

North Carolina
U.S. Court of Appeals for
the Fourth Circuit
U.S. District Court –
Western District of North
Carolina
U.S. District Court – Middle
District of North Carolina
U.S. District Court – Eastern
District of North Carolina



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- Obtained summary judgment in favor of a municipality on all claims brought in a wrongful death action alleging that the police department's policies and procedures were constitutionally inadequate as it related to use of force and, specifically, electronic control devices. *Estate of Williams v. Forbes*, 3:12-CV-838-MOC-DSC (W.D.N.C., July 18, 2014).
- Obtained judgment on behalf of a detective in an alleged wrongful conviction action claiming that the detective participated in a conspiracy to violate the plaintiff's constitutional rights. Successfully argued in the Fourth Circuit Court of Appeals that the resulting appeal taken by the plaintiff should be dismissed. *Massey v. Ojaniit*, 759 F.3d 343 (4th Cir. 2014).
- Obtained complete defense verdict on behalf of a police officer accused of using excessive force on the plaintiff in the course of an investigation into child abuse, summary judgment in favor of the supervising sergeant accused of condoning and failing to supervise the officer, and a pre-discovery dismissal in favor of the municipality alleged of failing to train the officer. *LaMarre v. Turner*, 12-CVS-19744 (Meck. Co. 2014).
- Obtained summary judgment on behalf of a police officer and a municipality in an action alleging that the officer used excessive force securing the perimeter in a drug raid. *Gillis v. City of Charlotte*, 2014 WL 1333988 (W.D.N.C., April 2, 2014).

PUBLICATIONS

- "The Eminent Domain Consequences of a U.S. Supreme Court Ruling," Law360, August 2019
- "The Intersection of Safety and Expression: Injunctive Relief in Crowd Control Measures," Municipal Lawyer, July 2019
- "Insurance Can Mitigate Costs of Government Investigations," Law360, August 2018
- "Injunctive Relief in Public Participation Litigation," N.C. Association of Municipal Attorneys, August 2017
- "Mass Demonstrations and Preliminary Injunctions: Rapidly Responding With Narrative and Case Law," International Municipal Lawyers Association, April 2017
- "Reasonable Mistakes: A Brief Overview of Qualified Immunity From Use of Force Claims Under § 1983," Mecklenburg County Bar, February 2015



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- "Balancing Act: Regulation of Expression by Cities in the 21st Century," Mecklenburg County Bar, February 2014

SPEAKING ENGAGEMENTS

- "For What It's Worth, Stop, Hey, What's That Sound: Injunctive Relief in Public Participation Litigation," N.C. Bar Association Constitutional Rights & Responsibilities and Government & Public Sector Annual Meetings, February 2019
- "Police Excessive Force Trials Post-Ferguson: What's Different and What's Not," International Municipal Lawyers Association, Mid-Year Seminar, April 2018
- "Panel Discussion on Governmental Immunity," N.C. Association of Defense Attorneys, September 2017

HONORS

- *North Carolina Super Lawyers* Rising Star, 2019-2020
- North Carolina Pro Bono Honor Society, 2019
- Mecklenburg County Bar Leadership Institute, Class of 2015

MEMBERSHIPS

- North Carolina Association of Defense Attorneys, Government Practice Group, Chair, 2020-2021, Vice Chair, 2019-2020
- Mecklenburg County Bar, Litigation Section, Chair, 2014-2015, Vice-Chair, 2013-2014
- Rotary Club of Charlotte, Invocation Committee, 2020-present
- North Carolina Bar Association
- American Bar Association
- Defense Research Institute