

Daniel D. McClurg

Associate

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OVERVIEW

Daniel McClurg is an associate and member of the firm's Commercial Disputes practice group. He represents clients in a wide array of complex commercial litigation. He has litigated a broad range of business-related issues on behalf of public corporations, portfolio companies, non-profit organizations, and start-up businesses, including commercial contract disputes, deal litigation, and business tort litigation. Daniel works with clients in the healthcare, consumer products and services, manufacturing, and transportation and logistics industries, both advising on risk mitigation in these evolving industries and defending clients when litigation occurs. He has experience in all phases of commercial litigation, from preparing or defending against a complaint to final merits determinations and defending favorable judgments on appeal. Daniel has significant experience in federal and state trial and appellate courts throughout the United States.

PROFESSIONAL BACKGROUND

Prior to joining the firm, Daniel served as a law clerk to The Honorable Louis A. Bledsoe, III, Chief Judge of the North Carolina Business Court, where he assisted in all aspects of presiding over complex business cases. During law school, Daniel served as a judicial extern for The Honorable Richard L. Voorhees of the US District Court for the Western District of North Carolina, The Honorable W. Earl Britt of the US District Court for the Eastern District of North Carolina, and the Honorable Michael L. Robinson, current Chief Judge of the North Carolina Business Court. Daniel's experience working in four different chambers gave him valuable insight into the decision-making process.

During law school, Daniel was a member of the Wake Forest Law Review, a member of the Wake Forest Moot Court Board, and a teaching assistant for several courses, including Legal Writing and Research, and Appellate Advocacy.

Before attending law school, Daniel spent three years working as a paralegal at a boutique litigation firm in Wilmington, North Carolina.

PROFESSIONAL / CIVIC ACTIVITIES

- North Carolina Bar Association

- Mecklenburg County Bar
- North Carolina Pro Bono Honor Society

ADDITIONAL BACKGROUND

EDUCATION

- J.D., Wake Forest University School of Law, 2018 *(magna cum laude; Order of the Coif; Wake Forest Law Review; Wake Forest Moot Court Board)*
- B.A., University of North Carolina, Wilmington, 2014 *(magna cum laude)*

ADMISSIONS

- Bar of North Carolina
- United States Court of Appeals for the Fourth Circuit
- United States District Court for the Eastern District of North Carolina
- United States District Court for the Middle District of North Carolina
- United States District Court for the Western District of North Carolina

THOUGHT LEADERSHIP *POWERED BY HUB*

- 28 April 2025, Impact of Tariffs on Commercial Contractual Performance: Can Tariffs Be a Force Majeure Event?

OTHER PUBLICATIONS

- "Impact of tariffs on commercial contractual performance: Can tariffs be a force majeure event?," *Thomson Reuters Westlaw Today*, 7 May 2025
- Leveling the Playing Field: Publicly Financed Professional Sports Facilities, 53 WAKE FOREST L. REV. 233 (2018)
- Locker Room Politics: The Role of Sports Leagues in Shaping [Anti-]Social Legislation, 17 VA. SPORTS & ENT. L.J. 82 (2018)
- Whistleblower Protections: Internal Reporting and Dodd-Frank's Anti-Retaliation Provision, 58 LAB. L.J. 156 (2017)

OTHER MEDIA MENTIONS

- "NC Justices Back K&L Gates' Counsel Fee In Hospital Dispute," *Law360*, 7 April 2023

AREAS OF FOCUS

- Commercial Disputes
- Class Action Defense
- Internal Investigations
- Transactional Disputes

INDUSTRIES

- Advertising and Marketing
- Consumer Goods and Services
- General Manufacturing
- Healthcare
- Manufacturing
- Transportation and Logistics

REPRESENTATIVE EXPERIENCE

- Secured US$600,000 attorneys' fee award on behalf of a nonprofit regional hospital system and ambulatory surgery center in a commercial contract dispute litigated in North Carolina Business Court and successfully defended fee award on appeal to the North Carolina Supreme Court.
- Represented one of the largest vending machine operators in the United States in a complex consolidated consumer class action regarding pricing practices and alleged deceptive labeling practices with claims brought under state consumer protection statutes of over 30 states, claims for unjust enrichment, consumer fraud, conversation, and breach of contract.
- Represented a medical group and individual physician in a North Carolina Business Court dispute claiming defendants engaged in unfair and deceptive trade practices after the division of medical practice between the physician and former medical partners. Obtained dismissal of the plaintiffs' claim under North Carolina's Unfair and Deceptive Trade Practices Act.
- Successfully briefed and argued a motion for dismissal of a lawsuit against a hospital system alleging civil rights claims in the Eastern District of North Carolina.
- Obtained summary judgment in favor of a hospital system in a commercial contract dispute.

- Represented one of the largest waste haulers in the United States in litigation involving claims for breach of a government contract, tortious interference, and unfair and deceptive trade practice claims.
- Represented an international energy company in pursuing claim against a rail terminal operator for contamination of polypropylene product in the Western District of North Carolina.
- Provided counsel to corporate investors in connection with anticipated acquisitions and post-acquisition disputes.
- Brought claims on behalf of a tire manufacturer in a trademark infringement action in the Western District of North Carolina.